

**EXHIBIT 3**

**REDACTED VERSION  
OF DOCUMENT  
SOUGHT TO BE SEALED**

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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 WAYMO LLC

14 Plaintiffs,

15 v.

16 UBER TECHNOLOGIES, INC.;  
17 OTTOMOTTO, LLC; OTTO TRUCKING  
18 LLC,

19 Defendants.

Case No. 17-cv-00939-JCS

**PLAINTIFF'S OBJECTIONS AND  
RESPONSES TO UBER'S AND  
OTTOMOTTO'S FIRST SET OF  
REQUESTS FOR PRODUCTIONS (NOS.  
1-146)**

1 Plaintiff Waymo, LLC (“Waymo”) hereby objects and responds to the First Set of  
2 Requests for Production of Documents (Nos. 1-146) served by Defendants Uber Technologies,  
3 Inc. (“Uber”) and Ottomotto LLC (“Otto”) (collectively, “Defendants”).

4 **GENERAL OBJECTIONS**

5 Waymo makes the following General Objections, whether or not separately set forth in  
6 response to each and every definition and document request.

7 Waymo objects to each request, and to the Definitions and Instructions, to the extent that  
8 they purport to impose any obligations upon Waymo beyond the Federal Rules of Civil Procedure,  
9 the Local Rules of the United States District Court for the Northern District of California, and the  
10 Supplemental Order to Order Setting Initial Case Management Conference in Civil Cases Before  
11 Judge William Alsup (“the Supplemental Order”).

12 Waymo objects to each request to the extent that it seeks information protected by the  
13 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
14 from discovery.

15 Waymo objects to each request to the extent that they are compound, complex and contain  
16 multiple subparts.

17 Waymo objects to each request to the extent that they seek confidential or proprietary  
18 information, including without limitation, confidential business information, proprietary and/or  
19 competitively sensitive information, or trade secrets. Subject to its other General Objections, and  
20 to any specific objections set forth below, Waymo will only provide relevant information in a  
21 manner consistent with the Protective Order entered by the Court in this matter.

22 Waymo objects to each interrogatory to the extent that they seek information that Waymo  
23 is not permitted to disclose pursuant to confidentiality obligations or agreements with third parties.

24 Waymo objects to each request to the extent that it calls for information that is publicly  
25 available and therefore as accessible to Defendants as to Waymo.

26 Waymo objects to each request to the extent that it is overbroad and not proportional to the  
27 needs of the case, considering the importance of the issues at stake in the action, the amount in  
28 controversy, the parties’ relative access to relevant information, the parties’ resources, the

1 importance of the discovery in resolving the issues, and whether the burden or expense of the  
2 proposed discovery outweighs its likely benefit.

3 Waymo objects to each request to the extent that they require Waymo to provide  
4 documents beyond what is available to Waymo at present from a reasonable search of its own files  
5 likely to contain relevant or responsive documents.

6 Waymo objects to each request to the extent that they are overbroad, unduly burdensome,  
7 vague, and/or ambiguous.

8 Waymo objects to each request to the extent that it seeks information that does not already  
9 exist, or that is not in Waymo's possession, custody, or control.

10 Waymo objects to each request to the extent that they are unlimited in time or otherwise  
11 not limited to a time frame relevant to this litigation and to the patents-in-suit, and therefore  
12 burdensome, oppressive, overly broad, and not proportional to the needs of the case.

13 Waymo objects to the definitions of "Waymo," "Plaintiff," "You," and "Your" on the  
14 grounds the definitions are overbroad, unduly burdensome, and vague, including, but not limited  
15 to, the extent that they include Alphabet Inc. or any Waymo subsidiary, subcontractor, partnership,  
16 joint venture, or other business cooperation involving Waymo LLC, Google Inc., and/or Alphabet  
17 Inc., the present and former officers, directors, employees, agents, representatives, accountants,  
18 financial advisors, consultants, and attorneys or other persons under the owned or controlled by  
19 Waymo LLC, Google Inc., and/or Alphabet Inc., regardless of their affiliation or employment.

20 Waymo objects to each and every request to the extent that they call for a legal conclusion.

21 Waymo objects to the definitions of "Uber", "Ottomotto," and "Otto Trucking" as  
22 overbroad, and vague and ambiguous because Waymo does not know, for example, all "agents" or  
23 "representatives," etc. of each entity.

24 Waymo objects to the definition of "Velodyne" as overbroad, and vague and ambiguous  
25 because Waymo does not know, for example, all "agents" or "representatives", etc. of Velodyne.

26 Waymo objects to the definition of "Side Project(s)" and "Side Business(es)" as overly  
27 broad, unduly burdensome, vague and ambiguous, to the extent that the definition includes  
28 personal side project(s) or business(es).

1 Waymo objects to Instruction No. 3 as irrelevant, overbroad, unduly burdensome, and not  
2 proportional to the needs of the case to the extent it calls for production in a form beyond that  
3 required by the Supplemental Order.

4 Waymo objects to Instruction No. 5 as irrelevant, overbroad, unduly burdensome, and not  
5 proportional to the needs of the case to the extent it calls for “[a]ll drafts of a responsive  
6 document.”

7 Waymo objects to Instruction No. 6 as irrelevant, overbroad, unduly burdensome, and not  
8 proportional to the needs of the case to the extent that it calls for the “file folder or other container  
9 in which a Document is kept.”

10 Waymo objects to Instruction No. 10 as overbroad, unduly burdensome, vague, and  
11 ambiguous to the extent that it refers to “Provision 1(d) of the Default Standard for Discovery in  
12 this judicial district.”

13 Waymo objects to Instruction No. 11 to the extent it calls for Waymo to search for  
14 documents beyond what is available to Waymo at present from a reasonable search of its own files  
15 likely to contain relevant or responsive documents. Waymo will produce English translations  
16 where applicable as located through a reasonably diligent search.

17 Waymo objects to Instruction No. 12 to the extent that it calls for Waymo to conclude that  
18 Waymo has no responsive documents in Waymo’s possession, custody, or control. If Waymo is  
19 unable to locate responsive documents through a reasonably diligent search, Waymo will so state.

20 Waymo’s responses are not to be construed as an admission that any of the requested  
21 information exists, that any information is admissible, relevant or proportional to the needs of the  
22 case, or that any contention or assumption contained in the requests, whether implicit or explicit,  
23 is correct.

24 Waymo responds to these requests based upon its current understanding and reserves the  
25 right to supplement its responses at a later time.

26 Waymo incorporates by reference its General Objections in each of the specific responses  
27 set forth below.  
28

**SPECIFIC OBJECTIONS AND RESPONSES**

Waymo objects and responds as follows to Defendants' document requests:

**REQUEST FOR PRODUCTION NO. 1:**

Documents sufficient to show Waymo's knowledge of Defendants' autonomous vehicle program, including Defendants' design and development of LiDAR sensors (including LiDAR sensors from entities acquired by Defendants, such as Tyto LIDAR, LLC), Defendants' testing of autonomous vehicles, and Defendants' attempts to commercialize autonomous vehicle technology.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

Waymo will produce documents sufficient to show Waymo's knowledge of Defendants' autonomous vehicle program, including Defendants' design and development of LiDAR sensors (including LiDAR sensors from entities acquired by Defendants, such as Tyto LIDAR, LLC), Defendants' testing of autonomous vehicles, and Defendants' attempts to commercialize autonomous vehicle technology, as located after a diligent search of custodial documents.

**REQUEST FOR PRODUCTION NO. 2:**

All documents supporting Waymo's contention that "Waymo's LiDAR technology is subject to robust measures to protect its secrecy," including documents that show any steps taken by Waymo to ensure the security and confidentiality of every Alleged Waymo Trade Secret that was allegedly misappropriated by Defendants.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

Waymo objects to this request to the extent that it is duplicative of Defendants' Expedited Discovery Request No. 1 to Michael Janosko ("Documents supporting Waymo's contention that 'Waymo's LiDAR technology is subject to robust measures to protect its secrecy,' including documents sufficient to show any steps taken by Waymo to ensure the security and confidentiality of every identified item of Waymo's alleged trade secret information that was allegedly

1 misappropriated by Defendants.”) In response, Waymo previously produced documents regarding  
2 Google and Waymo’s security policies, procedures and mechanisms; employee codes of conduct  
3 and related documents concerning employee treatment of confidential information; employee  
4 confidentiality agreements; one document located through a custodial search of Janosko's  
5 documents; and four additional security policy documents identified by Mr. Janosko. *See*  
6 WAYMO-UBER-00000580-626; WAYMO-UBER-00000945-962.

7 Waymo will produce additional documents supporting Waymo’s contention that Waymo’s  
8 LiDAR technology is subject to robust measures to protect its privacy, including privacy and  
9 security policy and training documentation and agreements, documents concerning specific trade  
10 secrets marked with a confidentiality designation, and documents instructing Waymo personnel  
11 not to disclose trade secret information.

12  
13 **REQUEST FOR PRODUCTION NO. 3:**

14 Documents sufficient to show how often Waymo engineers download documents onto  
15 laptops or personal devices, including flash drives.

16  
17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

18 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
19 the case. Waymo further objects to this request to the extent that it seeks information protected by  
20 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
21 protected from discovery.

22 Waymo has produced documents sufficient to show how often Waymo engineers  
23 download documents from Google Drive. *See, e.g.*, WAYMO-UBER-00001963. Waymo has  
24 also produced documents sufficient to show the alleged downloads by Anthony Levandowski,  
25 Sameer Kshirsagar, and Radu Raduta, as detailed in the Declaration of Gary Brown (Dkt. 25-29).  
26 *See* WAYMO-UBER-00000648-943.

1 **REQUEST FOR PRODUCTION NO. 4:**

2 Documents sufficient to show the number of times that Waymo employees downloaded  
3 more than 10,000 files in one instance or at one time.  
4

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

6 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
7 the case. Waymo further objects to this request to the extent that it seeks information protected by  
8 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
9 protected from discovery.

10 Waymo has produced documents sufficient to show how often Waymo engineers  
11 download documents from Google Drive. *See* WAYMO-UBER-00001963. Waymo has also  
12 produced documents sufficient to show the alleged downloads by Anthony Levandowski, Sameer  
13 Kshirsagar, and Radu Raduta, as detailed in the Declaration of Gary Brown (Dkt. 25-29). *See*  
14 WAYMO-UBER-00000648-943.  
15

16 **REQUEST FOR PRODUCTION NO. 5:**

17 All documents relating to any Alleged Waymo Trade Secret that was allegedly  
18 misappropriated by Defendants but was not endorsed or otherwise marked with a visible legend  
19 designating the document as confidential and proprietary information.  
20

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

22 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
23 the case.

24 Waymo will produce all documents relating to Waymo's development of the Alleged  
25 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
26 and non-custodial document repositories storing documents relating to the development of  
27 Waymo's self-driving car technology, whether or not endorsed or otherwise marked with a visible  
28 legend designating the document as confidential and proprietary information.



1 **REQUEST FOR PRODUCTION NO. 6:**

2 Documents sufficient to identify all Waymo's vendors or suppliers for LiDAR systems or  
3 components, including documents sufficient to identify the specific components that each supplier  
4 provides to Waymo, up through the filing of the Complaint.  
5

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

7 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
8 the case to the extent it seeks "documents sufficient to identify the specific components that each  
9 supplier provides to Waymo." Waymo also objects to this request to the extent that it calls for  
10 information subject to non-disclosure agreements with third parties.

11 Waymo will produce all documents relating to Waymo's development of the Alleged  
12 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
13 and non-custodial document repositories storing documents relating to the development of  
14 Waymo's self-driving car technology, including documents concerning Waymo's vendors or  
15 suppliers for LiDAR systems or components, including documents that identify the specific  
16 components that each supplier provides to Waymo. Waymo has also produced a document  
17 identifying all Waymo's vendors or suppliers for LiDAR systems or components. *See* WAYMO-  
18 UBER\_00000574-579.  
19

20 **REQUEST FOR PRODUCTION NO. 7:**

21 All documents relating to any public information about Waymo's vendors and suppliers of  
22 LiDAR systems or components.  
23

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

25 Waymo objects to this request as overbroad, not proportional to the needs of the case, and  
26 calling for information that is publicly available and therefore as accessible to Defendants as to  
27 Waymo, to the extent it seeks "documents relating to any public information...."  
28

Waymo will produce all documents relating to Waymo's development of the Alleged Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents and non-custodial document repositories storing documents relating to the development of Waymo's self-driving car technology, including documents reflecting Waymo's use or knowledge of public information about Waymo's vendors and suppliers of LiDAR systems and components.

**REQUEST FOR PRODUCTION NO. 8:**

All documents relating to the reasons that Waymo chose the position, orientation, and number of laser diodes and photodetectors mounted on the PCBs of Waymo's current-generation LiDAR systems, including any memoranda or documents that discuss or explain these choices or parameters, requirements, testing scenarios, or third party component specifications relating to these choices.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

Waymo will produce all documents relating to Waymo's development of the Alleged Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents and non-custodial document repositories storing documents relating to the development of Waymo's self-driving car technology, including documents relating to the reasons that Waymo chose the position, orientation, and number of laser diodes and photodetectors mounted on the PCBs of Waymo's current-generation LiDAR systems, including any memoranda or documents that discuss or explain these choices or parameters, requirements, testing scenarios, or third party component specifications relating to these choices.

**REQUEST FOR PRODUCTION NO. 9:**

Documents sufficient to show the amount by which the laser diodes in the GBr3 system

[REDACTED]

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

2 Waymo will produce all documents relating to Waymo's development of the Alleged  
3 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
4 and non-custodial document repositories storing documents relating to the development of  
5 Waymo's self-driving car technology, including documents concerning Waymo's vendors or  
6 suppliers for LiDAR systems or components, including documents sufficient to show the amount  
7 by which the laser diodes in the GBr3 system [REDACTED]  
8

9 **REQUEST FOR PRODUCTION NO. 10:**

10 All documents relating to the reasons that Waymo chose to position the laser diodes in the  
11 GBr3 system to [REDACTED]  
12 [REDACTED].  
13

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

15 Waymo will produce all documents relating to Waymo's development of the Alleged  
16 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
17 and non-custodial document repositories storing documents relating to the development of  
18 Waymo's self-driving car technology, including documents concerning Waymo's vendors or  
19 suppliers for LiDAR systems or components, including documents relating to the reasons that  
20 Waymo chose to position the laser diodes in the GBr3 system to [REDACTED]  
21 [REDACTED]  
22

23 **REQUEST FOR PRODUCTION NO. 11:**

24 All documents relating to the reasons that Waymo chose the number of PCBs (transmit and  
25 receive) in Waymo's current-generation LiDAR systems, including any memoranda or documents  
26 that discuss or explain these choices or parameters, requirements, testing scenarios, or third-party  
27 component specifications relating to these choices.  
28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 11:**

2 Waymo will produce all documents relating to Waymo's development of the Alleged  
3 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
4 and non-custodial document repositories storing documents relating to the development of  
5 Waymo's self-driving car technology, including documents relating to the reasons that Waymo  
6 chose the number of PCBs (transmit and receive) in Waymo's current-generation LiDAR systems,  
7 including any memoranda or documents that discuss or explain these choices or parameters,  
8 requirements, testing scenarios, or third-party component specifications relating to these choices.

9  
10 **REQUEST FOR PRODUCTION NO. 12:**

11 All documents relating to the reasons that Waymo chose to use [REDACTED]  
12 [REDACTED],  
13 including documents relating to any benefits of that configuration.

14  
15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

16 Waymo will produce all documents relating to Waymo's development of the Alleged  
17 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
18 and non-custodial document repositories storing documents relating to the development of  
19 Waymo's self-driving car technology, including documents relating to the reasons that Waymo  
20 chose to use [REDACTED]  
21 [REDACTED], including documents relating to any benefits of that  
22 configuration.

23  
24 **REQUEST FOR PRODUCTION NO. 13:**

25 All documents relating to the reasons that Waymo chose to position the [REDACTED]  
26 [REDACTED]  
27 [REDACTED], including documents relating to any benefits of that  
28 configuration.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 13:**

2 Waymo will produce all documents relating to Waymo's development of the Alleged  
3 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
4 and non-custodial document repositories storing documents relating to the development of  
5 Waymo's self-driving car technology, including documents relating to the reasons that Waymo  
6 chose to use [REDACTED]

7 [REDACTED], including documents relating to any benefits of that  
8 configuration

9  
10 **REQUEST FOR PRODUCTION NO. 14:**

11 All documents relating to the reasons that Waymo chose the methods for aligning the  
12 PCBs in Waymo's current-generation LiDAR systems, including any memoranda or documents  
13 that discuss or explain these choices or parameters, requirements, testing scenarios, or third party  
14 component specifications relating to these choices.

15  
16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 14:**

17 Waymo will produce all documents relating to Waymo's development of the Alleged  
18 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
19 and non-custodial document repositories storing documents relating to the development of  
20 Waymo's self-driving car technology, including documents relating to the reasons that Waymo  
21 chose the methods for aligning the PCBs in Waymo's current-generation LiDAR systems,  
22 including any memoranda or documents that discuss or explain these choices or parameters,  
23 requirements, testing scenarios, or third party component specifications relating to these choices.

24  
25 **REQUEST FOR PRODUCTION NO. 15:**

26 All documents relating to the reasons that Waymo chose the selection, materials, size,  
27 position, number, and orientation of optical elements that are used to manipulate and modify laser  
28 beams that are transmitted and detected by Waymo's mid-range LiDAR designs, including any

1 memoranda or documents that discuss or explain these choices or parameters, requirements,  
2 testing scenarios, or third party component specifications relating to these choices.

3  
4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 15:**

5       Waymo will produce all documents relating to Waymo's development of the Alleged  
6 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
7 and non-custodial document repositories storing documents relating to the development of  
8 Waymo's self-driving car technology, including documents relating to the reasons that Waymo  
9 chose the selection, materials, size, position, number, and orientation of optical elements that are  
10 used to manipulate and modify laser beams that are transmitted and detected by Waymo's mid-  
11 range LiDAR designs, including any memoranda or documents that discuss or explain these  
12 choices or parameters, requirements, testing scenarios, or third party component specifications  
13 relating to these choices.

14  
15 **REQUEST FOR PRODUCTION NO. 16:**

16       Documents sufficient to show any alleged advantages or benefits of each of the Alleged  
17 Waymo Trade Secrets.

18  
19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 16:**

20       Waymo will produce all documents relating to Waymo's development of the Alleged  
21 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
22 and non-custodial document repositories storing documents relating to the development of  
23 Waymo's self-driving car technology, including documents concerning any alleged advantages or  
24 benefits of the Alleged Waymo Trade Secrets, such as documents relating to the reasons that  
25 Waymo chose to develop the Alleged Waymo Trade Secrets over other alternatives.

1 **REQUEST FOR PRODUCTION NO. 17:**

2 Documents sufficient to show Waymo's use and choice of third-party components in  
3 Waymo's current-generation LiDAR design.

4  
5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 17:**

6 Waymo objects to this request to the extent that it calls for information subject to non-  
7 disclosure agreements with third parties.

8 Waymo will produce all documents relating to Waymo's development of the Alleged  
9 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
10 and non-custodial document repositories storing documents relating to the development of  
11 Waymo's self-driving car technology, including documents concerning Waymo's use and choice  
12 of third-party components in Waymo's current-generation LiDAR design.

13  
14 **REQUEST FOR PRODUCTION NO. 18:**

15 All documents relating to any aspect of Waymo's LiDAR design that is public  
16 information, including any publicly available source code, demonstrations to members of the  
17 public, or documents in any filing, submission, application or certification made to any public  
18 entity or regulatory agency.

19  
20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 18:**

21 Waymo objects to this request as calling for information that is publicly available and  
22 therefore as accessible to Defendants as to Waymo, to the extent it seeks "documents relating to  
23 any aspect of Waymo's LiDAR design that is public information." Waymo objects to this request  
24 to the extent it asks for "documents in any filing, submission, application or certification made to  
25 any public entity or regulatory agency" as duplicative of Request Nos. 31 ("All documents  
26 submitted by Waymo in any filing, submission, application or certification made to any public  
27 entity or regulatory agency pertaining to the use of lasers or LiDAR in autonomous vehicles,  
28 including documents shown to and/or discussed with any person employed by a public entity or

1 regulatory agency.”) and 32 (“All documents submitted by Waymo in any filing, submission,  
2 application, or certification made to any public entity or regulatory agency pertaining to the use of  
3 any Alleged Waymo Trade Secret in autonomous vehicles, including documents shown to and/or  
4 discussed with any person employed by a public entity or regulatory agency.”).

5       Waymo has produced documents concerning public disclosures of Waymo’s LiDAR  
6 systems. *See, e.g.*, WAYMO-UBER-00003989. Waymo will produce documents relating to the  
7 Alleged Waymo Trade Secrets as located through a reasonably diligent search of both custodial  
8 documents and non-custodial document repositories storing documents relating to the  
9 development of Waymo’s self-driving car technology, including documents relating to any aspect  
10 of Waymo’s LiDAR design that is public information, including any publicly available source  
11 code or demonstrations to members of the public. To the extent Request No. 18 seeks documents  
12 in any filing, submission, application or certification made to any public entity or regulatory  
13 agency, see Waymo’s responses to Request Nos. 31 and 32.

14  
15 **REQUEST FOR PRODUCTION NO. 19:**

16       All documents relating to any efforts by Waymo to reverse engineer any third party’s  
17 LiDAR technology (e.g., Velodyne’s), including all documents concerning the time Waymo took  
18 to reverse engineer the third party’s LiDAR technology.

19  
20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 19:**

21       Waymo will produce all documents relating to Waymo’s development of the Alleged  
22 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
23 and non-custodial document repositories storing documents relating to the development of  
24 Waymo’s self-driving car technology, including documents relating to any efforts by Waymo to  
25 reverse engineer any third party’s LiDAR technology.



1 **REQUEST FOR PRODUCTION NO. 20:**

2 Documents sufficient to show Waymo's acquisition or use of any third party's LiDAR  
3 technology.

4  
5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 20:**

6 Waymo will produce all documents relating to Waymo's development of the Alleged  
7 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
8 and non-custodial document repositories storing documents relating to the development of  
9 Waymo's self-driving car technology, including documents relating to Waymo's acquisition or  
10 use of any third party's LiDAR technology.

11  
12 **REQUEST FOR PRODUCTION NO. 21:**

13 All documents supporting Waymo's contention that Uber is using any Alleged Waymo  
14 Trade Secret, including documents sufficient to show Waymo's first notice of any alleged use.

15  
16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 21:**

17 Waymo objects to this request on the ground that documents demonstrating Uber's use of  
18 the Alleged Waymo Trade Secrets are in Uber's possession, custody, or control.

19 Waymo has produced documents sufficient to show Waymo's first notice of any alleged  
20 use. *See, e.g.*, WAYMO-UBER-00001746, WAYMO-UBER-00000633.

21  
22 **REQUEST FOR PRODUCTION NO. 22:**

23 All documents relating to any efforts by Waymo to review, analyze, or reverse engineer  
24 Defendants' LiDAR technology, including any review, analyses, or internal correspondence at  
25 Waymo concerning the PCB attached to the email in Exhibit 1 to the Grossman Declaration in  
26 support of Waymo's preliminary injunction motion.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 22:**

2 Waymo objects to this request to the extent that it seeks information protected by the  
3 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
4 from discovery.

5 Waymo logged internal correspondence at Waymo concerning the email in Exhibit 1 to the  
6 Grossman Declaration in support of Waymo's preliminary injunction motion in its privilege log  
7 dated March 23, 2017 and served to Defendants in association with Defendants' Notice of  
8 Deposition of William Grossman and Requests for Production (Preliminary Injunction Phase).  
9 Waymo will produce all documents relating to Waymo's development of the Alleged Waymo  
10 Trade Secrets as located through a reasonably diligent search of both custodial documents and  
11 non-custodial document repositories storing documents relating to the development of Waymo's  
12 self-driving car technology, including documents relating to any efforts by Waymo to review,  
13 analyze, or reverse engineer Defendants' LiDAR technology. Waymo also will produce  
14 documents sufficient to show Waymo's knowledge of Defendants' autonomous vehicle program,  
15 including documents relating to any efforts by Waymo to review, analyze, or reverse engineer  
16 Defendants' LiDAR technology.

17  
18 **REQUEST FOR PRODUCTION NO. 23:**

19 All documents relating to Waymo's development of each Alleged Waymo Trade Secret.  
20

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 23:**

22 Waymo objects to this request as overbroad and not proportional to the needs of the case.

23 Waymo will produce all documents relating to Waymo's development of the Alleged  
24 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
25 and non-custodial document repositories storing documents relating to the development of  
26 Waymo's self-driving car technology.  
27  
28

1 **REQUEST FOR PRODUCTION NO. 24:**

2 Documents sufficient to show the length of time Waymo took to develop each Alleged  
3 Waymo Trade Secret.

4  
5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 24:**

6 Waymo objects to this request as overbroad and not proportional to the needs of the case.

7 Waymo will produce all documents relating to Waymo's development of the Alleged  
8 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
9 and non-custodial document repositories storing documents relating to the development of  
10 Waymo's self-driving car technology, including documents providing evidence of the length of  
11 time Waymo took to develop each Alleged Waymo Trade Secret.

12  
13 **REQUEST FOR PRODUCTION NO. 25:**

14 Documents sufficient to show the number of man-hours spent developing each Alleged  
15 Waymo Trade Secret.

16  
17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 25:**

18 Waymo objects to this request as overbroad and not proportional to the needs of the case.

19 Waymo will produce all documents relating to Waymo's development of the Alleged  
20 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
21 and non-custodial document repositories storing documents relating to the development of  
22 Waymo's self-driving car technology, including documents providing evidence of the number of  
23 man-hours spent developing each Alleged Waymo Trade Secret.

24  
25 **REQUEST FOR PRODUCTION NO. 26:**

26 Documents sufficient to show the expenses associated with the development of each  
27 Alleged Waymo Trade Secret.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 26:**

2 Waymo objects to this request as overbroad and not proportional to the needs of the case.

3 Waymo will produce all documents relating to Waymo's development of the Alleged  
4 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
5 and non-custodial document repositories storing documents relating to the development of  
6 Waymo's self-driving car technology, including documents providing evidence of the expenses  
7 associated with the development of each Alleged Waymo Trade Secret.

8  
9 **REQUEST FOR PRODUCTION NO. 27:**

10 All documents discussing whether any or all of the Alleged Waymo Trade Secrets  
11 constitute trade secrets.

12  
13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 27:**

14 Waymo objects to this request to the extent that it seeks information protected by the  
15 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
16 from discovery. Waymo objects to this request as overbroad and not proportional to the needs of  
17 the case.

18 Waymo will produce all documents relating to Waymo's development of the Alleged  
19 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
20 and non-custodial document repositories storing documents relating to the development of  
21 Waymo's self-driving car technology, including documents discussing whether any or all of the  
22 Alleged Waymo Trade Secrets constitute trade secrets.

23  
24 **REQUEST FOR PRODUCTION NO. 28:**

25 All documents relating to any public information used or discussed by any Waymo  
26 employee in developing each Alleged Waymo Trade Secret, including any principles of optics,  
27 publicly known laser or circuit board technology, or public literature.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 28:**

2 Waymo objects to this request as overbroad and not proportional to the needs of the case.

3 Waymo will produce all documents relating to Waymo's development of the Alleged  
4 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
5 and non-custodial document repositories storing documents relating to the development of  
6 Waymo's self-driving car technology, including documents relating to any public information  
7 used or discussed by any Waymo employee in developing each Alleged Waymo Trade Secret.

8  
9 **REQUEST FOR PRODUCTION NO. 29:**

10 All communications with Waymo employees regarding whether the technology of each  
11 Alleged Waymo Trade Secret is a trade secret.

12  
13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 29:**

14 Waymo objects to this request as overbroad and not proportional to the needs of the case.

15 Waymo will produce all documents relating to Waymo's development of the Alleged  
16 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
17 and non-custodial document repositories storing documents relating to the development of  
18 Waymo's self-driving car technology, including communications with Waymo employees  
19 regarding whether the technology of each Alleged Waymo Trade Secret is a trade secret.

20  
21 **REQUEST FOR PRODUCTION NO. 30:**

22 All documents relating to any awareness by a Waymo employee that the technology of  
23 each Alleged Waymo Trade Secret uses or reflects public information, including any principles of  
24 optics, publicly known laser or circuit board technology, or public literature.

25  
26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 30:**

27 Waymo objects to this request as overbroad and not proportional to the needs of the case.

1 Waymo will produce all documents relating to Waymo's development of the Alleged  
2 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
3 and non-custodial document repositories storing documents relating to the development of  
4 Waymo's self-driving car technology, including documents relating to any awareness by a Waymo  
5 employee that the technology of each Alleged Waymo Trade Secret uses or reflects public  
6 information.

7  
8 **REQUEST FOR PRODUCTION NO. 31:**

9 All documents submitted by Waymo in any filing, submission, application or certification  
10 made to any public entity or regulatory agency pertaining to the use of lasers or LiDAR in  
11 autonomous vehicles, including documents shown to and/or discussed with any person employed  
12 by a public entity or regulatory agency.

13  
14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 31:**

15 On March 28, 2017, in response to Expedited Request for Production No. 1 to Ron  
16 Medford ("Documents submitted by Waymo in any filing, submission, application or certification  
17 made to any public entity pertaining to the use of lasers in autonomous vehicles, including  
18 documents shown to and/or discussed with any person employed by a public entity."), Waymo  
19 produced all non-privileged documents responsive to this request located through a reasonably  
20 diligent search, including documents from Waymo repositories containing licensing, permitting,  
21 certification, safety, and regulatory documentation. *See* WAYMO-UBER-00000963-2191.

22 Waymo is investigating whether any additional documents exist, such as any documents  
23 submitted to a public entity or regulatory agency since March 28, 2017, and will produce all such  
24 documents it locates through a reasonably diligent search.

25  
26 **REQUEST FOR PRODUCTION NO. 32:**

27 All documents submitted by Waymo in any filing, submission, application, or certification  
28 made to any public entity or regulatory agency pertaining to the use of any Alleged Waymo Trade

1 Secret in autonomous vehicles, including documents shown to and/or discussed with any person  
2 employed by a public entity or regulatory agency.

3  
4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 32:**

5 On March 28, 2017, in response to Expedited Request for Production No. 1 to Ron  
6 Medford (“Documents submitted by Waymo in any filing, submission, application or certification  
7 made to any public entity pertaining to the use of lasers in autonomous vehicles, including  
8 documents shown to and/or discussed with any person employed by a public entity.”), Waymo  
9 produced all non-privileged documents responsive to this request located through a reasonably  
10 diligent search, including documents from Waymo repositories containing licensing, permitting,  
11 certification, safety, and regulatory documentation. *See* WAYMO-UBER-00000963-2191.

12 Waymo is investigating whether any additional documents exist, such as any documents  
13 submitted to a public entity or regulatory agency since March 28, 2017, and will produce all such  
14 documents it locates through a reasonably diligent search.

15  
16 **REQUEST FOR PRODUCTION NO. 33:**

17 Documents sufficient to identify the person or persons who developed each of the Alleged  
18 Waymo Trade Secrets and their role in the development.

19  
20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 33:**

21 Waymo objects to this request as overbroad and not proportional to the needs of the case.

22 Waymo will produce all documents relating to Waymo’s development of the Alleged  
23 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
24 and non-custodial document repositories storing documents relating to the development of  
25 Waymo’s self-driving car technology, including documents concerning the person or persons who  
26 developed each of the Alleged Waymo Trade Secrets and their role in the development.

1 **REQUEST FOR PRODUCTION NO. 34:**

2 Documents sufficient to show the date when Waymo claims to have developed each of the  
3 Alleged Waymo Trade Secrets.  
4

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 34:**

6 Waymo objects to this request as vague, to the extent that development is an ongoing  
7 process that cannot typically be pinned to a particular date. Waymo objects to this request as  
8 overbroad and not proportional to the needs of the case.

9 Waymo will produce all documents relating to Waymo's development of the Alleged  
10 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
11 and non-custodial document repositories storing documents relating to the development of  
12 Waymo's self-driving car technology, including documents indicating the dates of development.  
13

14 **REQUEST FOR PRODUCTION NO. 35:**

15 All documents submitted by Waymo to a public or regulatory agency pertaining to the  
16 safety of autonomous vehicles.  
17

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 35:**

19 On March 28, 2017, in response to Expedited Request for Production No. 6 to Ron  
20 Medford ("Any documents submitted by Waymo to a public agency pertaining to the safety of  
21 autonomous vehicles."), Waymo produced all non-privileged documents responsive to this request  
22 located through a reasonably diligent search, including documents from Waymo repositories  
23 containing licensing, permitting, certification, safety, and regulatory documentation. *See*  
24 WAYMO-UBER-00000963-2191.

25 Waymo is investigating whether any additional documents exist, such as any documents  
26 submitted to a public entity or regulatory agency since March 28, 2017, and will produce all such  
27 documents it locates through a reasonably diligent search.  
28



1 **REQUEST FOR PRODUCTION NO. 36:**

2 Documents sufficient to identify any formal Waymo policy or process, including  
3 requirements, for Waymo employees to engage in Waymo Side Projects or Side Businesses.  
4

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 36:**

6 Waymo will produce all responsive documents located through a reasonably diligent  
7 search of Google/Waymo policy document repositories.  
8

9 **REQUEST FOR PRODUCTION NO. 37:**

10 All documents that relate to Waymo Side Projects or Side Businesses, whether approved or  
11 unapproved under policies identified in response to Request No. 33, and Waymo's knowledge of  
12 such Side Projects or Side Businesses since April 2007, including but not limited to policies,  
13 procedures, guidelines, and communications related to those Waymo Side Projects or Side  
14 Businesses.  
15

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 37:**

17 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
18 the case to the extent it seeks documents concerning Waymo Side Projects or Side Businesses  
19 unrelated to Anthony Levandowski.

20 Waymo will produce all documents and communications relating to side businesses of  
21 Anthony Levandowski located through a reasonably diligent search.  
22

23 **REQUEST FOR PRODUCTION NO. 38:**

24 Documents sufficient to identify every Waymo Side Project or Side Business since April  
25 2007, including but not limited to the nature of the Side Project or Side Business and the name(s)  
26 of any Waymo employee(s) involved.  
27  
28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 38:**

2 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
3 the case to the extent it seeks documents concerning Waymo Side Projects or Side Businesses  
4 unrelated to Anthony Levandowski.

5 Waymo will produce all documents and communications relating to side businesses of  
6 Anthony Levandowski located through a reasonably diligent search.

7  
8 **REQUEST FOR PRODUCTION NO. 39:**

9 Documents sufficient to identify the time spent by Waymo employees on Waymo Side  
10 Projects or Side Businesses since April 2007 and the compensation paid to these employees.

11  
12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 39:**

13 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
14 the case to the extent it seeks documents concerning Waymo Side Projects or Side Businesses  
15 unrelated to Anthony Levandowski.

16 Waymo will produce all documents and communications relating to side businesses of  
17 Anthony Levandowski located through a reasonably diligent search.

18  
19 **REQUEST FOR PRODUCTION NO. 40:**

20 Documents sufficient to identify every approved Waymo Side Project or Side Business  
21 since April 2007.

22  
23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 40:**

24 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
25 the case to the extent it seeks documents concerning Waymo Side Projects or Side Businesses  
26 unrelated to Anthony Levandowski.

27 Waymo will produce all documents and communications relating to side businesses of  
28 Anthony Levandowski located through a reasonably diligent search.

1 **REQUEST FOR PRODUCTION NO. 41:**

2 Documents sufficient to identify every known Waymo Side Project or Side Business since  
3 April 2007 that did not go through an approval process.  
4

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 41:**

6 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
7 the case to the extent it seeks documents concerning Waymo Side Projects or Side Businesses  
8 unrelated to Anthony Levandowski.

9 Waymo will produce all documents and communications relating to side businesses of  
10 Anthony Levandowski located through a reasonably diligent search.  
11

12 **REQUEST FOR PRODUCTION NO. 42:**

13 Documents sufficient to show Waymo investments or other contributions of funding in and  
14 revenues and profits derived from any Waymo Side Project or Side Business since April 2007.  
15

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 42:**

17 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
18 the case to the extent it seeks documents concerning Waymo Side Projects or Side Businesses  
19 unrelated to Anthony Levandowski.

20 Waymo will produce all documents and communications relating to side businesses of  
21 Anthony Levandowski located through a reasonably diligent search.  
22

23 **REQUEST FOR PRODUCTION NO. 43:**

24 Documents sufficient to identify every instance where Waymo has objected to or  
25 complained about any approved or unapproved Waymo Side Project or Side Business, regardless  
26 of whether an employee requested approval of a Side Project or Side Business.  
27  
28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 43:**

2 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
3 the case to the extent it seeks documents concerning Waymo Side Projects or Side Businesses  
4 unrelated to Anthony Levandowski.

5 Waymo will produce all documents and communications relating to side businesses of  
6 Anthony Levandowski located through a reasonably diligent search.

7  
8 **REQUEST FOR PRODUCTION NO. 44:**

9 All documents relating to the departure of Anthony Levandowski, Sameer Kshirsagar, and  
10 Radu Raduta from Waymo, including but not limited to any transition memoranda and transition  
11 documents created or collected by Messrs. Levandowski, Kshirsagar, and Raduta.

12  
13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 44:**

14 Waymo objects to this request to the extent that it seeks information protected by the  
15 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
16 from discovery.

17 Waymo objects to this request to the extent that it is duplicative of Defendants' Expedited  
18 Discovery Request No. 2 to Tim Willis ("Transition memoranda and transition documents created  
19 or collected by Messrs. Sameer Kshirsagar and Radu Raduta before their departure from Waymo,  
20 and related communications."). In response to that RFP, Waymo previously produced all non-  
21 privileged responsive materials located after a diligent search of custodial documents and of  
22 documents from Waymo's personnel department. *See* WAYMO-UBER-00000001-573.

23 Waymo will further produce all documents located through a reasonably diligent search  
24 relating to the departure of Anthony Levandowski from Waymo.

25  
26 **REQUEST FOR PRODUCTION NO. 45:**

27 All documents relating to Waymo's knowledge of Messrs. Anthony Levandowski, Sameer  
28 Kshirsagar, and Radu Raduta's plans or efforts to seek employment outside of Waymo.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 45:**

2 Waymo objects to this request to the extent that it seeks information protected by the  
3 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
4 from discovery.

5 Waymo objects to this request to the extent that it is duplicative of Defendants' Expedited  
6 Discovery Request No. 3 to Tim Willis ("Documents sufficient to show Waymo's knowledge of  
7 Messrs. Sameer Kshirsagar and Radu Raduta's plans or efforts to seek employment outside of  
8 Waymo, including Mr. Willis's personal knowledge of Messrs. Kshirsagar and Raduta's efforts to  
9 seek another job.") In response to that RFP, Waymo previously produced all non-privileged  
10 responsive materials located after a diligent search of custodial documents and of documents from  
11 Waymo's personnel department. *See* WAYMO-UBER-00000001-573.

12 Waymo will further produce all documents located through a reasonably diligent search  
13 relating to Waymo's knowledge of Mr. Levandowski's plans or efforts to seek employment  
14 outside of Waymo.

15  
16 **REQUEST FOR PRODUCTION NO. 46:**

17 Documents sufficient to show to any collection, analysis, review, or findings related to  
18 Waymo computers, email, or other devices of current Waymo employees and/or Waymo devices  
19 of former employees upon their departure from Waymo LLC or Project Chauffeur since January  
20 2009.

21  
22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 46:**

23 Waymo objects to this request to the extent that it seeks information protected by the  
24 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
25 from discovery. Waymo objects to this request as irrelevant, overbroad, and not proportional to  
26 the needs of the case to the extent that it seeks documents relating to any analysis by Waymo of  
27 employees other than Messrs. Levandowski, Kshirsagar, and Raduta.

Waymo has already produced documents underlying Waymo's forensic investigation into Messrs. Levandowski, Kshirsagar, and Raduta as detailed in the Declaration of Gary Brown (Dkt. 25-29). *See* WAYMO-UBER-00000648-943; WAYMO-UBER-00004330-4336. Waymo will not produce additional documents.

**REQUEST FOR PRODUCTION NO. 47:**

All documents relating to communications within and outside Waymo about the possibility of pursuing a legal action against Anthony Levandowski.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 47:**

Waymo objects to this request as irrelevant, overbroad, and not proportional to the needs of the case to the extent it seeks documents concerning the possibility of pursuing a legal action against Uber other than this action, No. 3:17-cv-00939-WHA. Waymo objects to this request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Waymo objects to this request to the extent that it is duplicative of Expedited Discovery Request No. 4 to Larry Page ("Communications about the possibility of pursuing a legal action against Anthony Levandowski or Defendants."). On April 27, 2017, in response to that request, Waymo responded: "Pursuant to the Court's Order today regarding RFP No. 4, and without waiver of attorney-client privilege, attorney work product protection, or any other applicable privilege or protection and after a reasonable and diligent investigation, Waymo states that Google Inc.'s first communication in relation to the possibility of legal action against Anthony Levandowski was on or about March 23, 2016."

Waymo will log the document memorializing the March 23, 2016 communication.

**REQUEST FOR PRODUCTION NO. 48:**

All documents relating to communications about the possibility of pursuing a legal action against Uber.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 48:**

2 Waymo objects to this request as irrelevant, overbroad, and not proportional to the needs  
3 of the case to the extent it seeks documents concerning the possibility of pursuing a legal action  
4 against Uber other than this action, No. 3:17-cv-00939-WHA. Waymo objects to this request to  
5 the extent that it seeks information protected by the attorney-client privilege or the work product  
6 doctrine or that is otherwise privileged or protected from discovery. Waymo objects to this  
7 request to the extent that it is duplicative of Expedited Discovery Request No. 4 to Larry Page  
8 (“Communications about the possibility of pursuing a legal action against Anthony Levandowski  
9 or Defendants.”). On April 27, 2017, in response to that request, Waymo responded: “Pursuant to  
10 the Court’s Order today regarding RFP No. 4, and without waiver of attorney-client privilege,  
11 attorney work product protection, or any other applicable privilege or protection and after a  
12 reasonable and diligent investigation, Waymo states that Google Inc.’s first communication in  
13 relation to the possibility of legal action against Anthony Levandowski was on or about March 23,  
14 2016.”

15 Waymo will log the document memorializing the March 23, 2016 communication.  
16

17 **REQUEST FOR PRODUCTION NO. 49:**

18 All documents relating to communications about the possibility of pursuing a legal action  
19 against Ottomotto.  
20

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 49:**

22 Waymo objects to this request as irrelevant, overbroad, and not proportional to the needs  
23 of the case to the extent it seeks documents concerning the possibility of pursuing a legal action  
24 against Uber other than this action, No. 3:17-cv-00939-WHA. Waymo objects to this request to  
25 the extent that it seeks information protected by the attorney-client privilege or the work product  
26 doctrine or that is otherwise privileged or protected from discovery. Waymo objects to this  
27 request to the extent that it is duplicative of Expedited Discovery Request No. 4 to Larry Page  
28 (“Communications about the possibility of pursuing a legal action against Anthony Levandowski

1 or Defendants.”). On April 27, 2017, in response to that request, Waymo responded: “Pursuant to  
2 the Court’s Order today regarding RFP No. 4, and without waiver of attorney-client privilege,  
3 attorney work product protection, or any other applicable privilege or protection and after a  
4 reasonable and diligent investigation, Waymo states that Google Inc.’s first communication in  
5 relation to the possibility of legal action against Anthony Levandowski was on or about March 23,  
6 2016.”

7 Waymo will log the document memorializing the March 23, 2016 communication.  
8

9 **REQUEST FOR PRODUCTION NO. 50:**

10 All documents relating to communications about the possibility of pursuing a legal action  
11 against Otto Trucking.  
12

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 50:**

14 Waymo objects to this request as irrelevant, overbroad, and not proportional to the needs  
15 of the case to the extent it seeks documents concerning the possibility of pursuing a legal action  
16 against Uber other than this action, No. 3:17-cv-00939-WHA. Waymo objects to this request to  
17 the extent that it seeks information protected by the attorney-client privilege or the work product  
18 doctrine or that is otherwise privileged or protected from discovery. Waymo objects to this  
19 request to the extent that it is duplicative of Expedited Discovery Request No. 4 to Larry Page  
20 (“Communications about the possibility of pursuing a legal action against Anthony Levandowski  
21 or Defendants.”). On April 27, 2017, in response to that request, Waymo responded: “Pursuant to  
22 the Court’s Order today regarding RFP No. 4, and without waiver of attorney-client privilege,  
23 attorney work product protection, or any other applicable privilege or protection and after a  
24 reasonable and diligent investigation, Waymo states that Google Inc.’s first communication in  
25 relation to the possibility of legal action against Anthony Levandowski was on or about March 23,  
26 2016.”

27 Waymo will log the document memorializing the March 23, 2016 communication.  
28



1 **REQUEST FOR PRODUCTION NO. 51:**

2 All documents relating to communications about the business consequences to Waymo  
3 and/or Defendants of pursuing a legal action against Anthony Levandowski or Defendants.  
4

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 51:**

6 Waymo objects to this request as irrelevant, overbroad, and not proportional to the needs  
7 of the case to the extent it seeks documents concerning the possibility of pursuing a legal action  
8 against Uber other than this action, No. 3:17-cv-00939-WHA. Waymo objects to this request to  
9 the extent that it seeks information protected by the attorney-client privilege or the work product  
10 doctrine or that is otherwise privileged or protected from discovery.

11 Waymo will not produce documents responsive to this request.  
12

13 **REQUEST FOR PRODUCTION NO. 52:**

14 Documents sufficient to show the earliest date Waymo became aware of Anthony  
15 Levandowski's "new, self-driving vehicle company" as described in Paragraph 5 of the Waymo  
16 Complaint.  
17

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 52:**

19 Waymo will produce documents sufficient to show the earliest date Waymo became aware  
20 of Anthony Levandowski's "new, self-driving vehicle company" as described in Paragraph 5 of  
21 the Waymo Complaint.  
22

23 **REQUEST FOR PRODUCTION NO. 53:**

24 All documents relating to when Waymo began investigating the possibility of Anthony  
25 Levandowski's retention of Waymo files after his departure from Waymo as alleged in the  
26 Waymo Complaint.  
27  
28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 53:**

2 Waymo objects to this request as overbroad and not proportional to the needs of the case.  
3 Waymo further objects to this request to the extent that it seeks information protected by the  
4 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
5 from discovery. Waymo objects to this request to the extent that it is duplicative of Defendants'  
6 Expedited Discovery Request No. 6 to Larry Page ("Documents sufficient to show when Waymo  
7 began investigating the possibility of Anthony Levandowski taking Waymo files with him upon  
8 his departure.") On April 28, 2017, in response to that request, Waymo served a privilege log  
9 disclosing a communication dated July 29, 2017.

10 Waymo will not produce additional documents responsive to this request.  
11

12 **REQUEST FOR PRODUCTION NO. 54:**

13 All versions of any employment agreements, confidentiality agreements, assignment  
14 agreements, non-compete agreements, or other agreements that Waymo requires or has required  
15 employees to execute as a condition of employment since 2009, including the dates during which  
16 Waymo required each version to be executed.  
17

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 54:**

19 Waymo objects to this request as overbroad and not proportional to the needs of the case.

20 Waymo will produce all employment agreements, confidentiality agreements, assignment  
21 agreements, non-compete agreements, or other agreements between Waymo and Messrs.  
22 Levandowski, Kshirsagar, and Raduta located through a reasonably diligent search.  
23

24 **REQUEST FOR PRODUCTION NO. 55:**

25 All agreements between Waymo and Anthony Levandowski, including written, oral,  
26 executed, draft, or informal agreements.  
27  
28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 55:**

2 Waymo will produce all agreements between Waymo and Anthony Levandowski located  
3 through a reasonably diligent search.  
4

5 **REQUEST FOR PRODUCTION NO. 56:**

6 All agreements between Waymo and Sameer Kshirsagar, including written, oral, executed,  
7 draft, or informal agreements.  
8

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 56:**

10 Waymo will produce all agreements between Waymo and Sameer Kshirsagar located  
11 through a reasonably diligent search.  
12

13 **REQUEST FOR PRODUCTION NO. 57:**

14 All agreements between Waymo and Radu Raduta, including written, oral, executed, draft,  
15 or informal agreements.  
16

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 57:**

18 Waymo will produce all agreements between Waymo and Radu Raduta located through a  
19 reasonably diligent search.  
20

21 **REQUEST FOR PRODUCTION NO. 58:**

22 All documents relating to communications regarding agreements between Waymo and  
23 Anthony Levandowski.  
24

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 58:**

26 Waymo objects to this request to the extent that it seeks information protected by the  
27 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
28 from discovery.

1 Waymo will produce all documents relating to communications regarding agreements  
2 between Waymo and Anthony Levandowski located through a reasonably diligent search.

3  
4 **REQUEST FOR PRODUCTION NO. 59:**

5 All documents relating to communications regarding agreements between Waymo and  
6 Sameer Kshirsagar.

7  
8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 59:**

9 Waymo objects to this request to the extent that it seeks information protected by the  
10 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
11 from discovery.

12 Waymo will produce all documents relating to communications regarding agreements  
13 between Waymo and Sameer Kshirsagar located through a reasonably diligent search.

14  
15 **REQUEST FOR PRODUCTION NO. 60:**

16 All documents relating to communications regarding agreements between Waymo and  
17 Radu Raduta.

18  
19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 60:**

20 Waymo objects to this request to the extent that it seeks information protected by the  
21 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
22 from discovery.

23 Waymo will produce all documents relating to communications regarding agreements  
24 between Waymo and Radu Raduta located through a reasonably diligent search.

25  
26 **REQUEST FOR PRODUCTION NO. 61:**

27 Documents relating to Waymo's financial viability, including but not limited to internal  
28 business plans, estimates, and future projections at Waymo or Project Chauffeur.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 61:**

Waymo objects to this request as overlapping with Expedited Request No. 4 to Dan Chu (“Documents sufficient to show Waymo’s business plans, strategic plans, operating plans, marketing plans, financial plans, sales plans, and investment plans for its ride-sharing business, including projections for revenue generation and profitability.”). Waymo produced documents sufficient to respond to Expedited Request No. 4 to Dan Chu, as located through a reasonably diligent search of Waymo document repositories. *See, e.g.,* WAYMO-UBER-00004093, WAYMO-UBER-00004108, WAYMO-UBER-00004132, WAYMO-UBER-00004137, WAYMO-UBER-00004155, WAYMO-UBER-00004175, WAYMO-UBER-00004195, WAYMO-UBER-00004234. Waymo objects to this request as overbroad and not proportional to the needs of the case.

To the extent Waymo can locate any additional responsive documents through a reasonably diligent search, Waymo will produce documents sufficient to show Waymo’s financial viability, including projections for revenue generation and profitability.

**REQUEST FOR PRODUCTION NO. 62:**

Documents relating to Waymo’s performance, including but not limited to the development of and progress assessment for any schedules and milestones at Waymo LLC or Project Chauffeur.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 62:**

Waymo objects to this request as overlapping with Expedited Request No. 4 to Dan Chu (“Documents sufficient to show Waymo’s business plans, strategic plans, operating plans, marketing plans, financial plans, sales plans, and investment plans for its ride-sharing business, including projections for revenue generation and profitability.”). Waymo produced documents sufficient to respond to Expedited Request No. 4 to Dan Chu, as located through a reasonably diligent search of Waymo document repositories. *See, e.g.,* WAYMO-UBER-00004093, WAYMO-UBER-00004108, WAYMO-UBER-00004132, WAYMO-UBER-00004137,

1 WAYMO-UBER-00004155, WAYMO-UBER-00004175, WAYMO-UBER-00004195,  
2 WAYMO-UBER-00004234. Waymo objects to this request as overbroad and not proportional to  
3 the needs of the case.

4 To the extent Waymo can locate any additional responsive documents through a  
5 reasonably diligent search, Waymo will produce documents sufficient to show Waymo's  
6 performance.

7  
8 **REQUEST FOR PRODUCTION NO. 63:**

9 Documents relating to complaints by or dissatisfaction from Waymo employees regarding  
10 Waymo's performance, including but not limited to the development of and progress assessment  
11 for any schedules and milestones at Waymo LLC or Project Chauffeur.

12  
13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 63:**

14 Waymo objects to this request as overbroad and not proportional to the needs of the case to  
15 the extent it seeks documents relating to employees other than Messrs. Levandowski, Kshirsagar,  
16 and Raduta.

17 Waymo will produce all documents located through a reasonably diligent search relating to  
18 complaints by or dissatisfaction from Messrs. Levandowski, Kshirsagar, and Raduta.

19  
20 **REQUEST FOR PRODUCTION NO. 64:**

21 Documents relating to the hiring of John Krafcik, including documents before and after his  
22 hiring.

23  
24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 64:**

25 Waymo objects to this request as irrelevant. In correspondence sent June 1, 2017, counsel  
26 for Uber stated that responsive documents "are relevant to showing that the departure of some  
27 former Waymo employees was motivated by doubts about John Krafcik, as reported in the press,  
28 rather than by a 'cover-up scheme,' as alleged by Waymo's counsel. (5/3/2017 Public Hr'g Tr. at

1 6:1-6.).” The alleged scheme relates to the plans of Uber and Mr. Levandowski “to build a replica  
2 LiDAR system for Uber,” not to employee departures or to Mr. Krafcik.

3 Waymo will not produce documents responsive to this request.  
4

5 **REQUEST FOR PRODUCTION NO. 65:**

6 All documents relating to communications to or from Waymo employees reacting to the  
7 hiring of John Krafcik, including but not limited to employee complaints, notes from exit  
8 interviews, internal emails summarizing information learned from departing employees, and/or  
9 administrative or disciplinary action against John Krafcik relating to employee complaints.  
10

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 65:**

12 Waymo objects to this request as irrelevant. In correspondence sent June 1, 2017, counsel  
13 for Uber stated that responsive documents “are relevant to showing that the departure of some  
14 former Waymo employees was motivated by doubts about John Krafcik, as reported in the press,  
15 rather than by a ‘cover-up scheme,’ as alleged by Waymo’s counsel. (5/3/2017 Public Hr’g Tr. at  
16 6:1-6.).” The alleged scheme relates to the plans of Uber and Mr. Levandowski “to build a replica  
17 LiDAR system for Uber,” not to employee departures or to Mr. Krafcik.

18 Waymo will not produce documents responsive to this request.  
19

20 **REQUEST FOR PRODUCTION NO. 66:**

21 All documents relating to the reason(s) for departure of any Waymo employee who  
22 thereafter became an employee of Defendants.  
23

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 66:**

25 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
26 the case to the extent it seeks documents relating to employees other than Messrs. Levandowski,  
27 Kshirsagar, and Raduta.  
28

1 Waymo will produce all documents located through a reasonably diligent search relating to  
2 the reasons for the departures of Messrs. Levandowski, Kshirsagar, and Raduta.

3  
4 **REQUEST FOR PRODUCTION NO. 67:**

5 Documents relating to Waymo's efforts to comply with the Department of Justice's March  
6 18, 2011 Consent Decree eliminating no solicitation agreements for employees, including any  
7 complaints from Waymo employees that it has not complied with the Consent Decree.

8  
9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 67:**

10 Waymo objects to this request as irrelevant, overbroad, and not proportional to the needs  
11 of the case. Waymo further objects that the irrelevant documents sought are not proportional to  
12 the needs of the case, considering the importance of the issues at stake in the action, the amount in  
13 controversy, the parties' relative access to relevant information, the parties' resources, the  
14 importance of the discovery in resolving the issues, and whether the burden or expense of the  
15 proposed discovery outweighs its likely benefit. Waymo also objects to this request to the extent  
16 that it seeks information protected by the attorney-client privilege or the work product doctrine or  
17 that is otherwise privileged or protected from discovery.

18 Waymo will not produce documents responsive to this request.

19  
20 **REQUEST FOR PRODUCTION NO. 68:**

21 Documents sufficient to show any changes made by Waymo to its restrictive covenants  
22 with employees or hiring practices since the Department of Justice's March 18, 2011 Consent  
23 Decree.

24  
25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 68:**

26 Waymo objects to this request as irrelevant. Waymo further objects that the irrelevant  
27 documents sought are not proportional to the needs of the case, considering the importance of the  
28 issues at stake in the action, the amount in controversy, the parties' relative access to relevant



1 information, the parties' resources, the importance of the discovery in resolving the issues, and  
2 whether the burden or expense of the proposed discovery outweighs its likely benefit. Waymo  
3 also objects to this request to the extent that it seeks information protected by the attorney-client  
4 privilege or the work product doctrine or that is otherwise privileged or protected from discovery.

5 Waymo will not produce documents responsive to this request.

6  
7 **REQUEST FOR PRODUCTION NO. 69:**

8 Documents sufficient to show any bonus program for Waymo LLC or Project Chauffeur  
9 employees, including but not limited to specific bonuses paid out over time and to whom; related  
10 policies; practices and/or procedures; the determination, calculation, changes to, and timing of any  
11 valuations; and inquiries from participants of the plan.

12  
13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 69:**

14 Waymo will produce documents sufficient to show the Project Chauffeur bonus program,  
15 including its structure, valuations, and bonus payments made to individual recipients.

16  
17 **REQUEST FOR PRODUCTION NO. 70:**

18 All documents relating to Waymo's evaluation of Anthony Levandowski's performance,  
19 including any praise or criticism of his performance and any assessment of his value to Waymo.

20  
21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 70:**

22 Waymo will produce all documents relating to Waymo's evaluation of Anthony  
23 Levandowski's performance located through a reasonably diligent search, including periodic  
24 performance reviews and other communications.

25  
26 **REQUEST FOR PRODUCTION NO. 71:**

27 Documents sufficient to show to the reason(s) for the establishment, creation, or formation  
28 of Waymo LLC.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 71:**

2 Waymo objects to this request as irrelevant. Waymo further objects that the irrelevant  
3 documents sought are not proportional to the needs of the case, considering the importance of the  
4 issues at stake in the action, the amount in controversy, the parties' relative access to relevant  
5 information, the parties' resources, the importance of the discovery in resolving the issues, and  
6 whether the burden or expense of the proposed discovery outweighs its likely benefit. Waymo  
7 also objects to this request to the extent that it seeks information protected by the attorney-client  
8 privilege or the work product doctrine or that is otherwise privileged or protected from discovery.

9 Waymo will not produce documents responsive to this request.  
10

11 **REQUEST FOR PRODUCTION NO. 72:**

12 Documents sufficient to show Google Inc.'s involvement in the operations, management,  
13 governance, and/or finances of Waymo LLC.  
14

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 72:**

16 Waymo objects to this request as irrelevant. Waymo further objects that the irrelevant  
17 documents sought are not proportional to the needs of the case, considering the importance of the  
18 issues at stake in the action, the amount in controversy, the parties' relative access to relevant  
19 information, the parties' resources, the importance of the discovery in resolving the issues, and  
20 whether the burden or expense of the proposed discovery outweighs its likely benefit

21 Waymo will not produce documents responsive to this request.  
22

23 **REQUEST FOR PRODUCTION NO. 73:**

24 Documents sufficient to identify by name all former and current employees who have  
25 worked on Waymo, from 2009 to the present.  
26  
27  
28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 73:**

2 Waymo objects to this request as overbroad and not proportional to the needs of the case,  
3 considering the importance of the issues at stake in the action, the amount in controversy, the  
4 parties' relative access to relevant information, the parties' resources, the importance of the  
5 discovery in resolving the issues, and whether the burden or expense of the proposed discovery  
6 outweighs its likely benefit.

7 Waymo will produce a list of Waymo personnel, including start dates and, if reasonably  
8 obtainable, end dates.

9  
10 **REQUEST FOR PRODUCTION NO. 74:**

11 Documents sufficient to identify the dates of employment for all former and current  
12 Waymo employees from 2009 to the present.

13  
14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 74:**

15 Waymo objects to this request as overbroad and not proportional to the needs of the case,  
16 considering the importance of the issues at stake in the action, the amount in controversy, the  
17 parties' relative access to relevant information, the parties' resources, the importance of the  
18 discovery in resolving the issues, and whether the burden or expense of the proposed discovery  
19 outweighs its likely benefit.

20 Waymo will produce a list of Waymo personnel, including start dates and, if reasonably  
21 obtainable, end dates.

22  
23 **REQUEST FOR PRODUCTION NO. 75:**

24 Documents sufficient to show any joint interest or joint defense agreement that Waymo has  
25 entered into during the past three years.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 75:**

2 Waymo objects to this request as irrelevant. *See* Dkt. 284 at 1 (Uber letter brief requesting  
3 common-interest agreements); Dkt. 296, Apr. 27 Hr’g Tr. at 2 (“So with respect to the common  
4 interest documents, whatever, I think, as I said, I’m not going to order those. I don’t think they’re  
5 relevant.”). Waymo further objects that the irrelevant documents sought are not proportional to  
6 the needs of the case, considering the importance of the issues at stake in the action, the amount in  
7 controversy, the parties’ relative access to relevant information, the parties’ resources, the  
8 importance of the discovery in resolving the issues, and whether the burden or expense of the  
9 proposed discovery outweighs its likely benefit. Waymo also objects to this request to the extent  
10 that it seeks information protected by the attorney-client privilege or the work product doctrine or  
11 that is otherwise privileged or protected from discovery.

12 Waymo will not produce documents responsive to this request.  
13

14 **REQUEST FOR PRODUCTION NO. 76:**

15 Any brief or declaration provided to any court in support of a joint interest or joint defense  
16 privilege asserted by Waymo.  
17

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 76:**

19 Waymo objects to this request as irrelevant. *See* Dkt. 284 at 1 (Uber letter brief requesting  
20 common-interest agreements); Dkt. 296, Apr. 27 Hr’g Tr. at 2 (“So with respect to the common  
21 interest documents, whatever, I think, as I said, I’m not going to order those. I don’t think they’re  
22 relevant.”). Waymo further objects that the irrelevant documents sought are not proportional to  
23 the needs of the case, considering the importance of the issues at stake in the action, the amount in  
24 controversy, the parties’ relative access to relevant information, the parties’ resources, the  
25 importance of the discovery in resolving the issues, and whether the burden or expense of the  
26 proposed discovery outweighs its likely benefit.

27 Waymo will not produce documents responsive to this request.  
28

1 **REQUEST FOR PRODUCTION NO. 77:**

2 All documents relating to the purported value of each Alleged Waymo Trade Secret.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 77:**

5 Waymo objects to this request as overbroad and not proportional to the needs of the case.  
6 Waymo further objects to this request on the ground that “purported value” is vague and  
7 ambiguous. Waymo further objects to this request as duplicative of Request No. 16 (“Documents  
8 sufficient to show any alleged advantages or benefits of each of the Alleged Waymo Trade  
9 Secrets.”).

10 Waymo will produce all documents relating to Waymo’s development of the Alleged  
11 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
12 and non-custodial document repositories storing documents relating to the development of  
13 Waymo’s self-driving car technology, including documents concerning any alleged advantages or  
14 benefits of the Alleged Waymo Trade Secrets, such as documents relating to the reasons that  
15 Waymo chose to develop the Alleged Waymo Trade Secrets.

17 **REQUEST FOR PRODUCTION NO. 78:**

18 All documents relating to any valuation of the Asserted Patents.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 78:**

21 Waymo objects to this request to the extent that it seeks information protected by the  
22 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
23 from discovery.

24 Waymo will produce all responsive non-privileged documents as located through a  
25 reasonably diligent search of Waymo’s repository for patent-related correspondence and  
26 documentation.

1 **REQUEST FOR PRODUCTION NO. 79:**

2 All documents relating to any investments or expenditures made in order to develop each  
3 Alleged Waymo Trade Secret.  
4

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 79:**

6 Waymo will produce all documents relating to Waymo's development of the Alleged  
7 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
8 and non-custodial document repositories storing documents relating to the development of  
9 Waymo's self-driving car technology, including documents relating to any investments or  
10 expenditures made in order to develop each Alleged Waymo Trade Secret.  
11

12 **REQUEST FOR PRODUCTION NO. 80:**

13 All documents relating to any investments or expenditures made in order to develop the  
14 invention(s) claimed in the Asserted Patents.  
15

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 80:**

17 Waymo will produce all documents relating to Waymo's development of the Alleged  
18 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
19 and non-custodial document repositories storing documents relating to the development of  
20 Waymo's self-driving car technology, including documents relating to any investments or  
21 expenditures made in order to develop the invention(s) claimed in the Asserted Patents.  
22

23 **REQUEST FOR PRODUCTION NO. 81:**

24 All documents relating to secondary considerations of nonobviousness of the Asserted  
25 Patents, including the commercial success of any devices that embody the Asserted Patents.  
26  
27  
28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 81:**

2       Waymo will produce all documents on which Waymo intends to rely to demonstrate  
3 secondary considerations of nonobviousness.

4  
5 **REQUEST FOR PRODUCTION NO. 82:**

6       All documents relating to Waymo's knowledge of Ottomotto (or 280 Systems) prior to its  
7 formation, including the knowledge of or involvement in Ottomotto (or 280 Systems) of Pierre-  
8 Yves Droz or Brian Salesky, beginning at least in or around "the summer of 2015" and continuing  
9 through at least in or around January 2016.

10  
11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 82:**

12       Waymo will produce any communications amongst Waymo personnel as located through a  
13 reasonably diligent search, including but not limited to communications involving Mr. Droz and  
14 Mr. Salesky, sufficient to show Waymo's knowledge of Ottomotto or 280 Systems prior to its  
15 formation.

16  
17 **REQUEST FOR PRODUCTION NO. 83:**

18       All documents relating to Waymo's view of or reaction to the formation of Ottomotto,  
19 including but not limited to John Krafcik's August 2016 communication(s) with Uber.

20  
21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 83:**

22       Waymo will produce documents sufficient to show Waymo's knowledge of Defendants'  
23 autonomous vehicle program, including Waymo's view of or reaction to the formation of  
24 Ottomotto, as located after a diligent search of custodial documents.

25  
26 **REQUEST FOR PRODUCTION NO. 84:**

27       All documents relating to 510 Systems' acquisition by Google, including any documents  
28 concerning technology brought by 510 Systems to Google.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 84:**

2 Waymo will produce all documents relating to 510 Systems' acquisition by Google,  
3 including any documents concerning technology brought by 510 Systems to Google, as located  
4 through a reasonably diligent search.  
5

6 **REQUEST FOR PRODUCTION NO. 85:**

7 All documents relating to 510 Systems' existence as a separate entity prior to its  
8 acquisition by Google, including any agreement between Google and Anthony Levandowski  
9 allowing Mr. Levandowski to create 510 Systems as a side business.  
10

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 85:**

12 Waymo will produce all documents relating to 510 Systems' existence as a separate entity  
13 prior to its acquisition by Google, including any agreement between Google and Anthony  
14 Levandowski relating to 510 Systems, as located through a reasonably diligent search.  
15

16 **REQUEST FOR PRODUCTION NO. 86:**

17 All documents supporting Waymo's contention that it is entitled to any damages for any  
18 Causes of Action in its Complaint.  
19

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 86:**

21 Waymo objects to this request to the extent it calls for documents in Defendants'  
22 possession, custody or control, such as documents evidencing Defendants' patent infringement  
23 and trade secret misappropriation.

24 Waymo will produce all documents on which Waymo intends to rely to demonstrate that it  
25 is entitled to any damages for any Causes of Action in its Complaint.  
26  
27  
28



1 **REQUEST FOR PRODUCTION NO. 87:**

2 All documents supporting Waymo's contention that it is entitled to treble or enhanced  
3 damages for any Causes of Action in its Complaint.  
4

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 87:**

6 Waymo objects to this request to the extent it calls for documents in Defendants'  
7 possession, custody, or control, such as documents evidencing Defendants' patent infringement  
8 and trade secret misappropriation.

9 Waymo will produce all documents on which Waymo intends to rely to demonstrate that it  
10 is entitled to any damages for any Causes of Action in its Complaint.  
11

12 **REQUEST FOR PRODUCTION NO. 88:**

13 All documents supporting Waymo's contention that it is entitled to attorneys' fees or costs  
14 for any Causes of Action in its Complaint.  
15

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 88:**

17 Waymo objects to this request to the extent it calls for public documents or documents in  
18 Defendants' possession, custody, or control.

19 Waymo will produce all documents on which Waymo intends to rely to demonstrate that it  
20 is entitled to any damages for any Causes of Action in its Complaint.  
21

22 **REQUEST FOR PRODUCTION NO. 89:**

23 All documents supporting Waymo's contention that it will suffer irreparable harm in the  
24 absence of a permanent injunction against Defendants for any Causes of Action in its Complaint.  
25

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 89:**

27 Waymo will produce all documents on which Waymo intends to rely to demonstrate that it  
28 will suffer irreparable harm in the absence of a permanent injunction.

1 **REQUEST FOR PRODUCTION NO. 90:**

2 Documents relating Waymo's estimates of the size of the ride-sharing market in the United  
3 States for each of the last six years.

4  
5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 90:**

6 Waymo objects to this request as overbroad and not proportional to the needs of the case.  
7 Waymo objects to this request as duplicative of Expedited Request No. 1 to Dan Chu  
8 ("Documents sufficient to show Waymo's estimates of the size of the ride-sharing market in the  
9 United States for each of the last five years."). In response to Expedited Request No. 1 to Dan  
10 Chu, Waymo produced documents sufficient to show the information that comes closest to the  
11 requested information as located through a reasonably diligent search of Waymo document  
12 repositories. *See, e.g.*, WAYMO-UBER-00004184.

13 Because Waymo has already produced documents sufficient to respond to this request,  
14 Waymo will not produce additional documents.

15  
16 **REQUEST FOR PRODUCTION NO. 91:**

17 Documents relating to Waymo's forecasts of the size of the ride-sharing market in the  
18 United States for each of the next six years.

19  
20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 91:**

21 Waymo objects to this request as overbroad. Waymo objects to this request as duplicative  
22 of Expedited Request No. 2 to Dan Chu ("Documents sufficient to show Waymo's forecasts of the  
23 size of the ride-sharing market in the United States for each of the last five years."). In response to  
24 Expedited Request No. 2 to Dan Chu, Waymo produced documents sufficient to show the  
25 information that comes closest to the requested information as located through a reasonably  
26 diligent search of Waymo document repositories. *See, e.g.*, WAYMO-UBER-00004132,  
27 WAYMO-UBER-00004171, WAYMO-UBER-00004180.

1 Because Waymo has already produced documents sufficient to respond to this request,  
2 Waymo will not produce additional documents.

3  
4 **REQUEST FOR PRODUCTION NO. 92:**

5 Documents relating to Waymo's forecasts regarding the number of Waymo's ride-sharing  
6 vehicles in the United States, for each of the next six years—broken out by U.S. city and on a  
7 quarterly basis.

8  
9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 92:**

10 Waymo objects to this request as overbroad and not proportional to the needs of the case.  
11 Waymo objects to this request as duplicative of Expedited Request No. 3 to Dan Chu  
12 ("Documents sufficient to show Waymo's forecasts regarding its number of ride-sharing vehicles  
13 in the United States, by U.S. city, on a quarterly basis, for each of the next five years."). In  
14 response to Expedited Request No. 3 to Dan Chu, Waymo produced a document sufficient to  
15 show Waymo's forecasts for its ridesharing vehicles in the United States, by U.S. city, on a  
16 quarterly basis, for each of the next five years. *See* WAYMO-UBER-00004234.

17 Because Waymo has already produced documents sufficient to respond to this request,  
18 Waymo will not produce additional documents.

19  
20 **REQUEST FOR PRODUCTION NO. 93:**

21 Documents relating to Waymo's business plans, strategic plans, operating plans, marketing  
22 plans, financial plans, sales plans, and investment plans for its ride-sharing business, including  
23 projections for revenue generation and profitability.

24  
25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 93:**

26 Waymo objects to this request as overbroad. Waymo objects to this request as duplicative  
27 of Expedited Request No. 4 to Dan Chu ("Documents sufficient to show Waymo's business plans,  
28 strategic plans, operating plans, marketing plans, financial plans, sales plans, and investment plans

1 for its ride-sharing business, including projections for revenue generation and profitability.”).  
2 Waymo produced documents sufficient to respond to Expedited Request No. 4 to Dan Chu, as  
3 located through a reasonably diligent search of Waymo document repositories. *See, e.g.,*  
4 WAYMO-UBER-00004093, WAYMO-UBER-00004108, WAYMO-UBER-00004132,  
5 WAYMO-UBER-00004137, WAYMO-UBER-00004155, WAYMO-UBER-00004175,  
6 WAYMO-UBER-00004195, WAYMO-UBER-00004234.

7 To the extent Waymo can locate any additional responsive documents through a  
8 reasonably diligent search, Waymo will supplement its production of documents sufficient to  
9 show Waymo’s business plans, strategic plans, operating plans, marketing plans, financial plans,  
10 sales plans, and investment plans for its ride-sharing business, including projections for revenue  
11 generation and profitability.

12  
13 **REQUEST FOR PRODUCTION NO. 94:**

14 All documents relating to Waymo’s analysis of any barriers to entry in the ride-sharing  
15 market and the status of any attempts by Waymo to overcome any such barriers, including  
16 investments and infrastructure needed.

17  
18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 94:**

19 Waymo objects to this request as duplicative of Expedited Request No. 5 to Dan Chu  
20 (“Documents sufficient to show Waymo’s analysis of any barriers to entry in the ridesharing  
21 market, and the status of any attempts by Waymo to overcome any such barriers, including  
22 remaining investments and infrastructure needed.”). Waymo produced documents sufficient to  
23 respond to Expedited Request No. 5 to Dan Chu , as located through a reasonably diligent search  
24 of Waymo document repositories. *See, e.g.,* WAYMO-UBER-00004093, WAYMO-UBER-  
25 00004108, WAYMO-UBER-00004132, WAYMO-UBER-00004137, WAYMO-UBER-  
26 00004155, WAYMO-UBER-00004175, WAYMO-UBER-00004195, WAYMO-UBER-  
27 00004234.

1 Because Waymo has already produced documents sufficient to respond to this request,  
2 Waymo will not produce additional documents.

3  
4 **REQUEST FOR PRODUCTION NO. 95:**

5 Documents relating to Waymo's financial analysis and projections of the Waze acquisition  
6 as related to Waymo's ride-sharing business, including documents relating to Waymo's pre- and  
7 post-acquisition business plans for Waze, and any retrospective analysis of the acquisition.

8  
9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 95:**

10 After a reasonably diligent search of Waymo's document repositories and custodial  
11 documents, Waymo has not located any documents responsive to this request.

12  
13 **REQUEST FOR PRODUCTION NO. 96:**

14 All documents relating to Waymo's discussion of Uber or its business.

15  
16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 96:**

17 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
18 the case to the extent it seeks documents relating to discussions of Uber unrelated to Uber's status  
19 as a Waymo competitor in the self-driving car space.

20 In addition to documents already produced relating to Waymo's discussion of Uber's ride-  
21 sharing business, including, *e.g.*, WAYMO-UBER-00004115, WAYMO-UBER-00004175, and  
22 WAYMO-UBER-00004197-98, Waymo will supplement its production of documents sufficient to  
23 show Waymo's knowledge of Defendants' autonomous vehicle program, including discussion of  
24 Defendants' self-driving car business, as located through a reasonably diligent search.

25  
26 **REQUEST FOR PRODUCTION NO. 97:**

27 All documents relating to Waymo's analysis of Uber's ride-sharing business.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 97:**

2 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
3 the case to the extent it seeks documents relating to discussions of Uber unrelated to Uber's status  
4 as a Waymo competitor in the self-driving car space.

5 In addition to documents already produced relating to Waymo's discussion of Uber's ride-  
6 sharing business, including, *e.g.*, WAYMO-UBER-00004115, WAYMO-UBER-00004175, and  
7 WAYMO-UBER-00004197-98, Waymo will supplement its production of documents sufficient to  
8 show Waymo's knowledge of Defendants' autonomous vehicle program, including discussion of  
9 Defendants' self-driving car business, as located through a reasonably diligent search.

10  
11 **REQUEST FOR PRODUCTION NO. 98:**

12 Documents relating to the development of the placement and positions of laser diodes in  
13 Waymo's LiDAR systems.

14  
15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 98:**

16 Waymo will produce all documents relating to Waymo's development of the Alleged  
17 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
18 and non-custodial document repositories storing documents relating to the development of  
19 Waymo's self-driving car technology, including documents relating to the development of the  
20 placement and positions of laser diodes in Waymo's LiDAR systems.

21  
22 **REQUEST FOR PRODUCTION NO. 99:**

23 Documents relating to the development of optical layouts in Waymo's LiDAR systems.

24  
25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 99:**

26 Waymo will produce all documents relating to Waymo's development of the Alleged  
27 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
28 and non-custodial document repositories storing documents relating to the development of

Waymo's self-driving car technology, including documents relating to the development of optical layouts in Waymo's LiDAR systems.

**REQUEST FOR PRODUCTION NO. 100:**

Documents relating to the development of transmit boards PCBs in Waymo's LiDAR systems.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 100:**

Waymo will produce all documents relating to Waymo's development of the Alleged Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents and non-custodial document repositories storing documents relating to the development of Waymo's self-driving car technology, including documents relating to the development of transmit boards PCBs in Waymo's LiDAR systems.

**REQUEST FOR PRODUCTION NO. 101:**

Documents relating to the development of receive PCBs in Waymo's LiDAR systems.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 101:**

Waymo will produce all documents relating to Waymo's development of the Alleged Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents and non-custodial document repositories storing documents relating to the development of Waymo's self-driving car technology, including documents relating to the development of receive PCBs in Waymo's LiDAR systems.

**REQUEST FOR PRODUCTION NO. 102:**

Documents relating to the development of the design and placement of optical components for collimating light in Waymo's LiDAR systems.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 102:**

2 Waymo will produce all documents relating to Waymo's development of the Alleged  
3 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
4 and non-custodial document repositories storing documents relating to the development of  
5 Waymo's self-driving car technology, including documents relating to the development of the  
6 design and placement of optical components for collimating light in Waymo's LiDAR systems.

7  
8 **REQUEST FOR PRODUCTION NO. 103:**

9 Documents relating to the development of the firing circuit for light sources in Waymo's  
10 LiDAR systems, including any circuit that connects the light sources and voltage source.

11  
12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 103:**

13 Waymo will produce all documents relating to Waymo's development of the Alleged  
14 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
15 and non-custodial document repositories storing documents relating to the development of  
16 Waymo's self-driving car technology, including documents relating to the development of the  
17 firing circuit for light sources in Waymo's LiDAR systems, including any circuit that connects the  
18 light sources and voltage source.

19  
20 **REQUEST FOR PRODUCTION NO. 104:**

21 Documents relating to the development of the design and use of a fiber laser in Waymo's  
22 LiDAR systems.

23  
24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 104:**

25 Waymo will produce all documents relating to Waymo's development of the Alleged  
26 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
27 and non-custodial document repositories storing documents relating to the development of  
28



1 Waymo's self-driving car technology, including documents relating to the development of the  
2 design and use of a fiber laser in Waymo's LiDAR systems.

3  
4 **REQUEST FOR PRODUCTION NO. 105:**

5 All documents sufficient to show the conception and reduction to practice of any invention  
6 claimed in the Asserted Patents.

7  
8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 105:**

9 Waymo has previously produced responsive documents in accordance with Patent L.R. 3-  
10 2(b). *See* WAYMO-UBER-00004947-5843.

11 Waymo will produce any additional documents on which Waymo intends to rely to show  
12 the conception and reduction to practice of any invention claimed in the Asserted Patents.

13  
14 **REQUEST FOR PRODUCTION NO. 106:**

15 All documents supporting Waymo's contentions that Defendants infringe any asserted  
16 claim of the Asserted Patents.

17  
18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 106:**

19 Waymo objects to this request on the ground that documents demonstrating Defendants'  
20 infringement are in Defendants' possession, custody, or control. Waymo objects to this request to  
21 the extent that it seeks information protected by the attorney-client privilege or the work product  
22 doctrine or that is otherwise privileged or protected from discovery.

23 Waymo will produce any documents within Waymo's custody or control on which Waymo  
24 intends to rely to show infringement.

1 **REQUEST FOR PRODUCTION NO. 107:**

2 All documents relating to the invalidity or validity of the Asserted Patents, including any  
3 documents supporting Waymo's contention that any asserted claim of the Asserted Patents is  
4 valid.

5  
6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 107:**

7 Waymo objects to this request to the extent that it seeks information protected by the  
8 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
9 from discovery.

10 Waymo will produce all documents on which Waymo intends to rely to demonstrate that  
11 the asserted claims of the Asserted Patents are valid.

12  
13 **REQUEST FOR PRODUCTION NO. 108:**

14 All documents relating to the unenforceability or enforceability of the Asserted Patents,  
15 including any documents supporting Waymo's contention that any asserted claim of the Asserted  
16 Patents is enforceable.

17  
18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 108:**

19 Waymo objects to this request to the extent that it seeks information protected by the  
20 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
21 from discovery.

22 Waymo will produce all documents on which Waymo intends to rely to demonstrate that  
23 the asserted claims of the Asserted Patents are enforceable.

24  
25 **REQUEST FOR PRODUCTION NO. 109:**

26 All documents of which Waymo is aware that constitute, comprise, or embody any prior  
27 art to the Asserted Patents.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 109:**

2 Waymo objects to this request as calling for information that is publicly available and  
3 therefore as accessible to Defendants as to Waymo, such as prior art disclosed on the face of the  
4 patents. Waymo objects to this request to the extent that it seeks information protected by the  
5 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
6 from discovery.

7 Waymo will produce all documents relating to Waymo's development of the Asserted  
8 Patents as located through a reasonably diligent search of both custodial documents and non-  
9 custodial document repositories storing documents relating to the development of Waymo's self-  
10 driving car technology, including documents relating to any prior art known to Waymo  
11 developers.

12  
13 **REQUEST FOR PRODUCTION NO. 110:**

14 All documents relating to any study, analysis, review, or opinion (including opinions of  
15 counsel), conclusions, or contentions regarding the validity or invalidity of any of the claims of the  
16 Asserted Patents or any related patents, including but not limited to any studies, reports, or  
17 competitive comparisons.

18  
19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 110:**

20 Waymo objects to this request to the extent that it seeks information protected by the  
21 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
22 from discovery.

23 Waymo will produce all responsive non-privileged documents as located through a  
24 reasonably diligent search of Waymo's repository for patent-related correspondence and  
25 documentation.

1 **REQUEST FOR PRODUCTION NO. 111:**

2 All documents relating to any study, analysis, review, or opinion (including opinions of  
3 counsel), conclusions, or contentions regarding the infringement or non-infringement of any of the  
4 claims of the Asserted Patents or any related patents, including but not limited to any studies,  
5 reports, or competitive comparisons.

6  
7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 111:**

8 Waymo objects to this request to the extent that it seeks information protected by the  
9 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
10 from discovery.

11 Waymo will produce all responsive non-privileged documents as located through a  
12 reasonably diligent search of Waymo's repository for patent-related correspondence and  
13 documentation.

14  
15 **REQUEST FOR PRODUCTION NO. 112:**

16 All documents relating to any study, analysis, review, or opinion (including opinions of  
17 counsel), conclusions, or contentions regarding the interpretation or scope of any of the claims of  
18 the Asserted Patents or any related patents, including but not limited to any studies, reports, or  
19 competitive comparisons.

20  
21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 112:**

22 Waymo objects to this request to the extent that it seeks information protected by the  
23 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
24 from discovery.

25 Waymo will produce all responsive non-privileged documents as located through a  
26 reasonably diligent search of Waymo's repository for patent-related correspondence and  
27 documentation.

1 **REQUEST FOR PRODUCTION NO. 113:**

2 All documents relating to any study, analysis, review, or opinion (including opinions of  
3 counsel), conclusions, or contentions regarding the enforceability or unenforceability of any of the  
4 claims of the Asserted Patents or any related patents, including but not limited to any studies,  
5 reports, or competitive comparisons.

6  
7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 113:**

8 Waymo objects to this request to the extent that it seeks information protected by the  
9 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
10 from discovery.

11 Waymo will produce all responsive non-privileged documents as located through a  
12 reasonably diligent search of Waymo's repository for patent-related correspondence and  
13 documentation.

14  
15 **REQUEST FOR PRODUCTION NO. 114:**

16 All communications between Waymo and any third party regarding any of the Alleged  
17 Waymo Trade Secrets.

18  
19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 114:**

20 Waymo objects to this request to the extent that it calls for confidential communications  
21 between Waymo and its suppliers and vendors subject to non-disclosure agreements. Waymo  
22 objects to this request to the extent that it seeks communications regarding the Alleged Waymo  
23 Trade Secrets but not disclosing any trade secret information.

24 Waymo will produce all documents relating to Waymo's development of the Alleged  
25 Waymo Trade Secrets as located through a reasonably diligent search of both custodial documents  
26 and non-custodial document repositories storing documents relating to the development of  
27 Waymo's self-driving car technology, including communications between Waymo and any third  
28 party regarding any of the Alleged Waymo Trade Secrets.

1 **REQUEST FOR PRODUCTION NO. 115:**

2 Documents sufficient to show any Waymo policy, procedure, or guideline, including but  
3 not limited to any training, regarding the use of computers, email, or other devices for work on  
4 behalf of Waymo.

5  
6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 115:**

7 Waymo objects to this document request as irrelevant to the extent it seeks documents that  
8 post-date January 27, 2016, the day that Mr. Levandowski resigned from Waymo.

9 Waymo will produce all responsive documents located through a reasonably diligent  
10 search of Google/Waymo policy document repositories.

11  
12 **REQUEST FOR PRODUCTION NO. 116:**

13 Documents sufficient to show any Waymo policy, procedure, or guideline, including but  
14 not limited to any training, regarding access to Waymo documents, data, or information by  
15 Waymo employees.

16  
17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 116:**

18 Waymo objects to this document request as irrelevant to the extent it seeks documents that  
19 post-date January 27, 2016, the day that Mr. Levandowski resigned from Waymo.

20 Waymo will produce all responsive documents located through a reasonably diligent  
21 search of Google/Waymo policy document repositories.

22  
23 **REQUEST FOR PRODUCTION NO. 117:**

24 Documents sufficient to show any Waymo policy, procedure, or guideline against deleting  
25 documents, data, or information from Waymo computers, email, or other devices.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 117:**

2 Waymo objects to this document request as irrelevant to the extent it seeks documents that  
3 post-date January 27, 2016, the day that Mr. Levandowski resigned from Waymo.

4 Waymo will produce all responsive documents located through a reasonably diligent  
5 search of Google/Waymo policy document repositories.

6  
7 **REQUEST FOR PRODUCTION NO. 118:**

8 Any versions of an employee handbook applicable to Waymo employees, from 2009 to the  
9 present.

10  
11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 118:**

12 Waymo objects to this document request as irrelevant to the extent it seeks documents that  
13 post-date January 27, 2016, the day that Mr. Levandowski resigned from Waymo.

14 Waymo will produce all responsive documents located through a reasonably diligent  
15 search of Google/Waymo policy document repositories.

16  
17 **REQUEST FOR PRODUCTION NO. 119:**

18 Documents sufficient to show all confidentiality and/or non-disclosure agreements Waymo  
19 has or has had with its vendors, suppliers, and customers, from 2009 to the present.

20  
21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 119:**

22 Waymo objects to this document request to the extent it is overbroad and not proportional  
23 to the needs of the case. Waymo further objects to this request to the extent that it calls for  
24 confidential agreements between Waymo and its suppliers and vendors subject to non-disclosure  
25 agreements.

26 Waymo will endeavor to produce one or more representative confidentiality and non-  
27 disclosure agreements between Waymo and its vendors, supplier, and customers.

1 **REQUEST FOR PRODUCTION NO. 120:**

2 Documents sufficient to show the serial number for every device issued to any Waymo  
3 employee whom Waymo has alleged misappropriated Waymo confidential information, as  
4 described in the Waymo Complaint.  
5

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 120:**

7 Waymo objects to this request as irrelevant. Waymo objects to this request to the extent  
8 that it seeks information protected by the attorney-client privilege or the work product doctrine or  
9 that is otherwise privileged or protected from discovery.

10 Waymo has already produced documents detailing the results of its forensic investigation  
11 into the former Waymo employees named in the complaint, as detailed in the Declaration of Gary  
12 Brown (Dkt. 25-29). *See* WAYMO-UBER-00000648-943. Waymo will not produce additional  
13 documents in response to this request.  
14

15 **REQUEST FOR PRODUCTION NO. 121:**

16 Documents relating to, referring to, disclosing, analyzing, or summarizing Waymo's loss  
17 of employees who voluntarily resigned from 2009 to the present, including but not limited to  
18 communications about the reasons employees left Waymo, aggregation of data gathered in exit  
19 interviews, and data about the number of employees who resigned from Waymo.  
20

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 121:**

22 Waymo objects to this request as overbroad and not proportional to the needs of the case to  
23 the extent it seeks documents relating to employees other than Messrs. Levandowski, Kshirsagar,  
24 and Raduta.

25 Waymo will produce all files located through a reasonably diligent search relating to the  
26 departures of Messrs. Levandowski, Kshirsagar, and Raduta.  
27  
28



1 **REQUEST FOR PRODUCTION NO. 122:**

2 A copy of the personnel files for each of the former Waymo employees who were  
3 subsequently employed by Defendants.  
4

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 122:**

6 Waymo objects to this request as overbroad and not proportional to the needs of the case to  
7 the extent it seeks documents relating to employees other than Messrs. Levandowski, Kshirsagar,  
8 and Raduta.

9 Waymo will produce the personnel files for Messrs. Levandowski, Kshirsagar, and Raduta.  
10

11 **REQUEST FOR PRODUCTION NO. 123:**

12 All documents relating to any work performed by a Waymo employee, while employed at  
13 Waymo, for Anthony Levandowski's "new, self-driving vehicle company" as described in  
14 Paragraph 5 of the Waymo Complaint.  
15

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 123:**

17 Waymo objects to this request to the extent that it seeks information protected by the  
18 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
19 from discovery.

20 Waymo objects to this request to the extent that it calls for documents, including  
21 documents relating to Anthony Levandowski's involvement with Uber, that are in Defendants'  
22 possession, custody or control.

23 Waymo will produce all documents relating to work performed by a Waymo employee,  
24 while employed at Waymo, for Anthony Levandowski's "new, self-driving vehicle company" as  
25 described in Paragraph 5 of the Waymo Complaint, as located through a reasonably diligent  
26 search.  
27  
28

1 **REQUEST FOR PRODUCTION NO. 124:**

2 All documents relating to any response by Waymo to work performed by a Waymo  
3 employee, while employed at Waymo, for Anthony Levandowski's "new, self-driving vehicle  
4 company" as described in Paragraph 5 of the Waymo Complaint.

5  
6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 124:**

7 Waymo objects to this request to the extent that it seeks information protected by the  
8 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
9 from discovery.

10 Waymo objects to this request to the extent that it calls for documents, including  
11 documents relating to Anthony Levandowski's communications with Uber, that are in Defendants'  
12 possession, custody or control.

13 Waymo will produce all documents relating to work performed by a Waymo employee  
14 (including Waymo's responses thereto), while employed at Waymo, for Anthony Levandowski's  
15 "new, self-driving vehicle company" as described in Paragraph 5 of the Waymo Complaint, as  
16 located through a reasonably diligent search.

17  
18 **REQUEST FOR PRODUCTION NO. 125:**

19 Documents sufficient to show any work performed by a Waymo employee, while  
20 employed at Waymo, for any Waymo Side Project or Side Business.

21  
22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 125:**

23 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
24 the case to the extent it seeks documents concerning Waymo Side Projects or Side Businesses  
25 unrelated to Anthony Levandowski.

26 Waymo will produce all documents and communications relating to side businesses of  
27 Anthony Levandowski located through a reasonably diligent search.

1 **REQUEST FOR PRODUCTION NO. 126:**

2 Documents sufficient to show any response by Waymo to work performed by a Waymo  
3 employee, while employed at Waymo, for any Waymo Side Project or Side Business.  
4

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 126:**

6 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
7 the case to the extent it seeks documents concerning Waymo Side Projects or Side Businesses  
8 unrelated to Anthony Levandowski.

9 Waymo will produce all documents and communications relating to side businesses of  
10 Anthony Levandowski located through a reasonably diligent search.  
11

12 **REQUEST FOR PRODUCTION NO. 127:**

13 Documents sufficient to show any work performed by a Google Inc. or Alphabet Inc.  
14 employee, while employed at Google Inc. or Alphabet Inc., for any Alphabet Side Project or Side  
15 Business.  
16

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 127:**

18 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
19 the case to the extent it seeks documents concerning side businesses unrelated to Anthony  
20 Levandowski.

21 Waymo will produce all documents and communications relating to side businesses of  
22 Anthony Levandowski located through a reasonably diligent search.  
23

24 **REQUEST FOR PRODUCTION NO. 128:**

25 Documents sufficient to show any response by Google Inc. or Alphabet Inc. to work  
26 performed by a Google Inc. or Alphabet Inc. employee, while employed at Google Inc. or  
27 Alphabet Inc., for any Alphabet Side Project or Side Business.  
28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 128:**

2 Waymo objects to this request as irrelevant, overbroad and not proportional to the needs of  
3 the case to the extent it seeks documents concerning side businesses unrelated to Anthony  
4 Levandowski.

5 Waymo will produce all documents and communications relating to side businesses of  
6 Anthony Levandowski located through a reasonably diligent search.

7  
8 **REQUEST FOR PRODUCTION NO. 129:**

9 Documents sufficient to show the cost for Waymo to recruit and train any employee hired  
10 to replace one of the former Waymo employees who were subsequently employed by Defendants.

11  
12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 129:**

13 Waymo objects to this request to the extent that it seeks information protected by the  
14 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
15 from discovery. Waymo objects to this request as irrelevant, overbroad and not proportional to the  
16 needs of the case to the extent it seeks documents specific to individuals other than Messrs.  
17 Levandowski, Kshirsagar, and Raduta.

18 Waymo will produce documents relating to the departures of Messrs. Levandowski,  
19 Kshirsagar, and Raduta. To the extent those documents discuss recruitment and training of those  
20 or other individuals, Waymo will produce those as well.

21  
22 **REQUEST FOR PRODUCTION NO. 130:**

23 Documents sufficient to show the steps taken by Waymo to recruit and train any employee  
24 hired to replace one of the former Waymo employees who were subsequently employed by  
25 Defendants.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 130:**

2 Waymo objects to this request to the extent that it seeks information protected by the  
3 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
4 from discovery. Waymo objects to this request as irrelevant, overbroad and not proportional to the  
5 needs of the case to the extent it seeks documents specific to individuals other than Messrs.  
6 Levandowski, Kshirsagar, and Raduta.

7 Waymo will produce documents relating to the departures of Messrs. Levandowski,  
8 Kshirsagar, and Raduta. To the extent those documents discuss recruitment and training of those  
9 or other individuals, Waymo will produce those as well.

10  
11 **REQUEST FOR PRODUCTION NO. 131:**

12 All documents relating to Tyto LiDAR, LLC, including but not limited to any due  
13 diligence, internal technical evaluations, or performance testing by Waymo of Tyto LiDAR, LLC.

14  
15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 131:**

16 Waymo will produce all documents relating to any due diligence, internal technical  
17 evaluations, or performance testing by Waymo of Tyto LiDAR, LLC, as located through a  
18 reasonably diligent search.

19  
20 **REQUEST FOR PRODUCTION NO. 132:**

21 All documents relating to Waymo's knowledge of Defendants' alleged involvement with  
22 Tyto LiDAR, LLC.

23  
24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 132:**

25 Waymo will produce all documents relating to Waymo's knowledge of Defendants'  
26 alleged involvement with Tyto LiDAR, LLC, as located through a reasonably diligent search.

1 **REQUEST FOR PRODUCTION NO. 133:**

2 All documents relating to any business relationship or rejection of any business  
3 relationship by Waymo with Tyto LiDAR, LLC.  
4

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 133:**

6 Waymo will produce all documents relating to any business relationship or rejection of any  
7 business relationship by Waymo with Tyto LiDAR, LLC, as located through a reasonably diligent  
8 search.  
9

10 **REQUEST FOR PRODUCTION NO. 134:**

11 All documents relating to the resignation of David Drummond from Uber's Board of  
12 Directors.  
13

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 134:**

15 Waymo objects to this request as irrelevant. Waymo further objects that the irrelevant  
16 documents sought are not proportional to the needs of the case, considering the importance of the  
17 issues at stake in the action, the amount in controversy, the parties' relative access to relevant  
18 information, the parties' resources, the importance of the discovery in resolving the issues, and  
19 whether the burden or expense of the proposed discovery outweighs its likely benefit.

20 Waymo will not produce documents responsive to this request.  
21

22 **REQUEST FOR PRODUCTION NO. 135:**

23 All documents relating to communications between Anthony Levandowski and Larry Page  
24 relating to the acquisition of 510 systems, the formation of 280 Systems or Ottomotto, and Mr.  
25 Levandowski's departure from Waymo.  
26  
27  
28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 135:**

2 Waymo will produce all such documents as located through a reasonably diligent search of  
3 the emails of Anthony Levandowski.  
4

5 **REQUEST FOR PRODUCTION NO. 136:**

6 All documents relating to communications between Anthony Levandowski and Sergey  
7 Brin relating to the acquisition of 510 systems, the formation of 280 Systems or Ottomotto, and  
8 Mr. Levandowski's departure from Waymo.  
9

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 136:**

11 Waymo will produce all such documents as located through a reasonably diligent search of  
12 the emails of Anthony Levandowski.  
13

14 **REQUEST FOR PRODUCTION NO. 137:**

15 All documents relating to communications between Anthony Levandowski and Eric  
16 Schmidt relating to the acquisition of 510 systems, the formation of 280 Systems or Ottomotto,  
17 and Mr. Levandowski's departure from Waymo.  
18

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 137:**

20 Waymo will produce all such documents as located through a reasonably diligent search of  
21 the emails of Anthony Levandowski.  
22

23 **REQUEST FOR PRODUCTION NO. 138:**

24 All documents relating to communications between Anthony Levandowski and John  
25 Krafcik relating to the acquisition of 510 systems, the formation of 280 Systems or Ottomotto, and  
26 Mr. Levandowski's departure from Waymo.  
27  
28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 138:**

2 Waymo will produce all such documents as located through a reasonably diligent search of  
3 the emails of Anthony Levandowski.  
4

5 **REQUEST FOR PRODUCTION NO. 139:**

6 All documents relating to communications between Anthony Levandowski and Bryan  
7 Salesky relating to the acquisition of 510 systems, the formation of 280 Systems or Ottomotto, and  
8 Mr. Levandowski's departure from Waymo.  
9

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 139:**

11 Waymo will produce all such documents as located through a reasonably diligent search of  
12 the emails of Anthony Levandowski.  
13

14 **REQUEST FOR PRODUCTION NO. 140:**

15 All documents relating to communications between Anthony Levandowski and Pierre-  
16 Yves Droz relating to the acquisition of 510 systems, the formation of 280 Systems or Ottomotto,  
17 and Mr. Levandowski's departure from Waymo.  
18

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 140:**

20 Waymo will produce all such documents as located through a reasonably diligent search of  
21 the emails of Anthony Levandowski.  
22

23 **REQUEST FOR PRODUCTION NO. 141:**

24 All documents relating to communications between Anthony Levandowski and Waymo,  
25 including but not limited to communications with human resources personnel and communications  
26 regarding agreements and obligations between Waymo and Mr. Levandowski.  
27  
28



1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 141:**

2 Waymo objects to this request as irrelevant, overbroad, and not proportional to the needs to  
3 the case to the extent it seeks “*All* documents relating to communications between Anthony  
4 Levandowski and Waymo” untethered to any issue in this case.

5 Waymo will produce all communications between Anthony Levandowski and Waymo  
6 regarding agreements and obligations between Waymo and Mr. Levandowski, including but not  
7 necessarily limited to communications relating to side businesses, employment agreements,  
8 confidentiality agreements, and agreements relating to compensation.

9  
10 **REQUEST FOR PRODUCTION NO. 142:**

11 All communications with any third parties regarding this lawsuit, including any  
12 government entities and any actual or potential customers, suppliers or investors.

13  
14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 142:**

15 Waymo objects to this request to the extent that it seeks information protected by the  
16 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
17 from discovery.

18 Waymo will produce documents sufficient to show Waymo’s knowledge of Defendants’  
19 autonomous vehicle program, including communications by Waymo to third parties regarding this  
20 lawsuit, as located after a diligent search of custodial documents.

21  
22 **REQUEST FOR PRODUCTION NO. 143:**

23 Documents sufficient to show the dates of the communications between Quinn Emanuel  
24 Urquhart & Sullivan, LLP and Waymo regarding Anthony Levandowski prior to the filing of the  
25 arbitration lawsuits in October 2016 against Mr. Levandowski.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 143:**

2 Waymo states that after a reasonably diligent search, Waymo has not located any  
3 communications between Quinn Emanuel and Waymo regarding Anthony Levandowski prior to  
4 the filing of the arbitration lawsuits in October 2016 against Mr. Levandowski.  
5

6 **REQUEST FOR PRODUCTION NO. 144:**

7 Documents sufficient to show the dates of the communications between Quinn Emanuel  
8 Urquhart & Sullivan, LLP and Waymo regarding Uber prior to the filing of the arbitration lawsuits  
9 in October 2016 against Mr. Levandowski.  
10

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 144:**

12 Waymo states that after a reasonably diligent search, Waymo has not located any  
13 communications between Quinn Emanuel and Waymo regarding Anthony Levandowski prior to  
14 the filing of the arbitration lawsuits in October 2016 against Mr. Levandowski.  
15

16 **REQUEST FOR PRODUCTION NO. 145:**

17 Documents sufficient to show the dates of the communications between any law firm and  
18 Waymo regarding Anthony Levandowski prior to the filing of the arbitration lawsuits in October  
19 2016 against Mr. Levandowski.  
20

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 145:**

22 Waymo objects to this request to the extent that it seeks information protected by the  
23 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
24 from discovery.

25 Waymo objects to this request to the extent that it is duplicative of Expedited Discovery  
26 Request No. 4 to Larry Page (“Communications about the possibility of pursuing a legal action  
27 against Anthony Levandowski or Defendants.”). On April 27, 2017, in response to that request,  
28 Waymo responded: “Pursuant to the Court’s Order today regarding RFP No. 4, and without

1 waiver of attorney-client privilege, attorney work product protection, or any other applicable  
2 privilege or protection and after a reasonable and diligent investigation, Waymo states that Google  
3 Inc.'s first communication in relation to the possibility of legal action against Anthony  
4 Levandowski was on or about March 23, 2016."

5 Waymo will log the document memorializing the March 23, 2016 communication.

6  
7 **REQUEST FOR PRODUCTION NO. 146:**

8 Documents sufficient to show the dates of the communications between any law firm and  
9 Waymo regarding Uber prior to the filing of the arbitration lawsuits in October 2016 against Mr.  
10 Levandowski.

11  
12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 146:**

13 Waymo objects to this request to the extent that it seeks information protected by the  
14 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
15 from discovery.

16 In response to this request, Waymo will produce or log documents sufficient to show when  
17 Waymo first communicated about the possibility of pursuing this legal action against Uber.

18  
19 DATED: June 12, 2017

QUINN EMANUEL URQUHART & SULLIVAN,  
LLP

20  
21 By /s/ Charles K. Verhoeven

Charles K. Verhoeven  
Attorneys for WAYMO LLC

**APPENDIX**

**Information On Document Collection and  
Production Under Supplement Order ¶ 13**

Waymo further provides information on its collection efforts under Paragraph 13 of the Supplemental Order. As of June 12, 2017, Waymo has searched the following sources of information in response to Defendants' requests for production:

- Waymo custodial document repositories (e.g., email repositories, Google Docs, locally stored electronic documents)
- Waymo non-custodial document repositories (e.g., Drive folders used by various teams at Waymo, personnel files, Google personnel files including policy documents, codes of conduct, employee handbooks, and employment and confidentiality agreements)

As of June 12, 2017, the following individuals employed by Waymo or Google have searched for documents in response to Defendants' requests for production:

- Raquel Small-Weikert (Paralegal) – general search responsibility
- Christine Lok (Paralegal) – general search responsibility
- Toni Baker (Paralegal) – general search responsibility
- Margo Maddux (Patent Agent) – search responsibility relating to patent-related documentation
- Michael Lin (People Coordinator) – search responsibility relating to employment documentation and electronic device recovery
- Joanne Chin (Head of People Operations) – search responsibility relating to employment documentation and electronic device recovery
- Jack Brown (Waymo, CAD Data and PLM Program Manager) – search responsibility relating to Waymo secure server access and activity
- Pierre Yves-Droz (Waymo, Principal Hardware Engineer) – search responsibility relating to documents relating to LiDAR development